

essarily traveled;

(3) Filing each paper, ten cents;

(4) Recording orders and other instruments, ten cents per folio;

(5) Copying and certifying any record or instrument recorded or filed in his office, ten cents per folio, to be paid by the person applying therefor.

At the annual town meeting the electors of any town shall by majority vote establish such compensation for supervisors as the electors deem proper, any other law notwithstanding. The town board of any town shall establish compensation for the clerk as the town board deems proper, any other law notwithstanding.

In addition to such compensation as shall be provided pursuant to this subdivision, supervisors and clerks shall be entitled to mileage at a rate not to exceed 15 cents per mile for each mile necessarily traveled on official business within or without the town as established by a town meeting.

The voters at any town meeting, after reading and disposing of the annual report, may, by resolution fix the scale of wages and hours of employment of the road overseer and of any other person employed by any town on any town road.

Nothing herein contained shall be construed to repeal any law wherein any towns are classified for the purpose of fixing the salaries, or maximum salaries, of any of their officers.

This subdivision shall not apply to any county containing a city of the first class.

Sec. 2. **REPEALER.** Minnesota Statutes 1971, Sections 367.05, Subdivision 4; 367.06; 367.07; and 367.08 are repealed.

Sec. 3. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved March 13, 1974.

CHAPTER 144—H.F.No.713
[Coded in Part]

An act relating to labor and industry; voluntary apprenticeship; establishing a division of voluntary apprenticeship in the department of labor and industry and prescribing its powers and duties; authorizing the commissioner of labor and indus-

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try to promulgate rules and regulations relating to voluntary apprenticeship; amending Minnesota Statutes 1971, Sections 178.01; 178.02; 178.03; 178.05; 178.06; 178.07; 178.08; 178.09; and Chapter 178 by adding a section; and repealing Minnesota Statutes 1971, Section 178.04.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 178.01, is amended to read:

178.01 LABOR AND INDUSTRY; APPRENTICES. The purposes of this chapter are: to open to young people regardless of race, sex, creed, color or national origin, the opportunity to obtain training that will equip them for profitable employment and citizenship; to ~~set up, establish~~ as a means to this end, a program of voluntary apprenticeship under approved apprentice agreements providing facilities for their training and guidance in the arts, skills, and crafts of industry and trade, with ~~parallel concurrent, supplementary~~ supplementary instruction in related ~~and supplementary education subjects~~; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an apprenticeship advisory council and ~~local and state joint~~ apprenticeship committees to assist in effectuating the purposes of this chapter; to provide for a director division of voluntary apprenticeship within the department of labor and industry; to provide for reports to the legislature ~~and to the public~~ regarding the status of apprentice training in the state; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends.

Sec. 2. Minnesota Statutes 1971, Section 178.02, is amended to read:

178.02 APPRENTICESHIP ADVISORY COUNCIL. Subdivision 1. **MEMBERS.** The commissioner of labor and industry, hereinafter called the commissioner, shall appoint an apprenticeship advisory council, hereinafter referred to as the council, composed of three representatives each from employer and employee organizations, respectively, and ~~of~~ two representatives of the general public. The state official who has been designated by the state board for vocational education as being in charge of trade and industrial education shall ~~ex officio~~ be a-an ex officio member of the council.

Subd. 2. TERMS. The terms of office of the appointed members of the ~~apprenticeship~~ council first appointed by the commissioner shall expire as designated by the commissioner at the time of making the appointment: One representative each of employers, employees, and the public being appointed for one year, one representative each of employers, employees, and the public being appointed for two years, and

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one representative each of employers and employees being appointed for three years. Thereafter, ~~each member~~ members shall be appointed ~~for a term to serve for terms~~ for terms of three years or until their successors are appointed. Any member appointed by the commissioner to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of said term.

Subd. 3. COMPENSATION. Each member of the council except the ex officio member shall receive ~~the sum of \$20~~ \$35 for each day of his actual attendance at meetings of the council; ~~together with his actual and necessary expenses incurred in connection therewith, provided, however, that the number of days of actual meetings shall not exceed five days per fiscal year.~~ Reimbursement for expenses incurred shall be made pursuant to the rules governing state employees. The council shall meet at least once each quarter. The number of meetings shall not exceed 12 per fiscal year.

Subd. 2-4 . DUTIES. The apprenticeship council shall meet at the call of the commissioner ~~and shall aid it in formulating policies for the effective administration of this chapter.~~ Subject to the approval of the commissioner, the apprenticeship council shall establish standards for apprentice agreements which in no case shall be lower than those prescribed by this chapter, issue such rules and regulations as may be necessary to carry out the intent and purposes of the chapter, and perform such other functions as the commissioner may direct. Not less than once every two years the apprenticeship council shall make a report, through the department of labor and industry, of its activities and findings to the legislature and to the public. It shall propose occupational classifications for apprenticeship programs; propose minimum standards for apprenticeship programs and agreements; and advise on the establishment of such policies, procedures, and rules as the commissioner deems necessary in implementing the intent of chapter 178.

Sec. 3. Minnesota Statutes 1971, Section 178.03, is amended to read:

178.03 DIVISION OF VOLUNTARY APPRENTICESHIP. Subdivision 1. ESTABLISHMENT OF DIVISION. There is hereby established a division of voluntary apprenticeship in the department of labor and industry. This division shall be administered by a director, and be under the supervision of the commissioner of labor and industry, hereinafter referred to as the commissioner.

Subd. 2. DIRECTOR OF VOLUNTARY APPRENTICESHIP. The commissioner ~~is hereby directed to shall~~ appoint a director of the division of voluntary apprenticeship, ~~which appointment shall be subject to the confirmation of the apprenticeship council by a majority vote. The commissioner is further authorized to hereinafter referred to as the director, and may~~ appoint and employ such clerical, technical, and professional help as ~~shall be is~~ necessary to ~~effectuate~~ accomplish the purposes of this chapter. The director and division staff shall be ap-

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pointed and shall serve in the classified service pursuant to civil service law, rules, and regulations.

Subd. 3. DUTIES AND FUNCTIONS. The director, under the supervision of the commissioner, and with the advice of the apprenticeship advisory council, is authorized: to administer the provisions of this chapter; to promote apprenticeship and other forms of on the job training; to establish, in cooperation with the apprenticeship advisory council and with the apprenticeship committees, conditions and training standards for the approval of apprenticeship programs and agreements, which conditions and standards shall in no case be lower than those prescribed by this chapter; to promote equal employment opportunity in apprenticeship and other on the job training; to issue certificates of registration to sponsors of approved apprenticeship programs; to act as secretary of the apprenticeship advisory council; to approve, if in his opinion approval is for the best interest of the apprentice, any apprenticeship agreement which meets the standards established hereunder; to terminate any apprenticeship agreement in accordance with the provisions of such agreement; to keep a record of apprenticeship agreements and their disposition; to issue certificates of completion of apprenticeship; and to perform such other duties as the commissioner deems necessary to carry out the intent of this chapter; provided, that the administration and supervision of supplementary instruction in related subjects for apprentices; coordination of instruction on a concurrent basis with job experiences, and the selection and training of teachers and coordinators for such instruction shall be the function of state and local boards responsible for vocational education. The director shall have the authority to make wage determinations applicable to the graduated schedule of wages and journeyman wage rate for apprenticeship agreements, giving consideration to the existing wage rates prevailing throughout the state, except that no wage determination by the director shall alter an existing wage provision for apprentices or journeymen that is contained in a bargaining agreement in effect between an employer and an organization of employees, nor shall the director make any determination for the beginning rate for an apprentice that is below the wage minimum established by federal or state law.

Sec. 4. Minnesota Statutes 1971, Chapter 178, is amended by adding a section to read:

[178.041] RULE MAKING POWER. Subdivision 1. The commissioner may, upon receipt of the council's proposals, accept, adopt, and issue them by rule with any modifications or amendments he finds appropriate. He may refer them back to the council with his recommendations for further study, consideration and revision. He may also issue additional rules as he may deem necessary.

Subd. 2. Rules, modifications, amendments, and repeals thereof which may be issued by the commissioner under this section shall be adopted in accordance with Minnesota Statutes, Chapter 15 and shall

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have the force and effect of law.

Sec. 5. Minnesota Statutes 1971, Section 178.05, is amended to read:

178.05 APPRENTICESHIP COMMITTEES AND PROGRAMS. ~~Local and state joint apprenticeship committees shall be appointed in any trade by the apprenticeship council, whenever the apprentice training needs of such trade justify such establishment.~~ Subdivision 1. ESTABLISHMENT OF COMMITTEES. Apprenticeship committees may be established by the director to supervise the operation of apprenticeship programs. Establishment of a committee may be considered justified if either of the following conditions are met:

(a) When the employers and employees in a trade or trades are parties to a collective bargaining agreement requiring joint participation in program operation; or

(b) When five or more apprentices are enrolled under a program.

Subd. 2. MEMBERS. (a) The total number of members on a committee may range from four to eight.

(b) In joint participation there shall be equal representation of employers and employees.

(c) Members shall be selected by the group or groups they represent subject to approval by the director.

(d) A committee may have as one of its employee representatives, an active apprentice of record, provided that he or she has completed a minimum of 6,000 hours of an apprenticeship term or has entered the fourth year of the term.

Subd. 3. PROGRAMS. (a) A program operating under the supervision of a committee shall, in its standards, include the procedures to be followed in the administration of the program which in no case shall be inconsistent with the provisions of Minnesota Statutes, Chapter 178, and such rules as may be promulgated by the department under the authority of Minnesota Statutes, Chapter 178.

(b) Every apprenticeship program operating under a committee shall, in its standards, provide for a tie breaking procedure should the committee, by its voting, find itself unable to reach a majority decision on any matter relative to the committee's supervision and operation of the program.

(c) When a committee is not established by the director, the operation of the program shall be according to the terms and conditions of the apprenticeship agreement as subscribed to by the named contracting parties and approved by the director.

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Sec. 6. Minnesota Statutes 1971, Section 178.06, is amended to read:

178.06 **APPRENTICE.** The term "apprentice," as used ~~in this chapter herein~~, means a person at least 16 years of age who has entered into a written agreement, hereinafter called an apprentice agreement, with a committee, an employer, an association of employers, or an organization of employees, which apprentice agreement provides for not less than 4,000 hours or two years of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through concurrent, supplementary education in related ~~and supplemental~~ subjects. Whenever a minimum age exceeding 16 years is prescribed by federal or state law to apply to workers in certain hazardous occupations, the minimum age so prescribed shall be applicable to apprentices.

Sec. 7. Minnesota Statutes 1971, Section 178.07, is amended to read:

178.07 **APPRENTICE AGREEMENTS.** Every apprentice agreement entered into under this chapter shall contain:

- (1) The names of the contracting parties;
- (2) The date of birth ~~of the~~, and information as to the race and sex of the apprentice;
- (3) A statement of the trade, craft, or business which the apprentice is to be taught, and the time at which the apprenticeship will begin and end;
- (4) A statement showing the number of hours to be spent by the apprentice in work and the number of hours to be spent in ~~related and supplemental-concurrent, supplementary~~ instruction in related subjects, which instruction shall be not less than 144 hours ~~per year, during each year of the apprenticeship term.~~ The maximum number of hours of work per week not including time spent in related and supplemental instruction for any apprentice shall not exceed either the number prescribed by law or the customary regular number of hours per week for the employees of the company by which the apprentice is employed; ~~such number to be determined by the local joint apprenticeship committee for the trade;~~ An apprentice may be allowed to work overtime provided that the overtime work does not conflict with his or her supplementary instruction course attendance. All time in excess of the number of hours of work per week as specified in the apprenticeship agreement shall be considered overtime. For overtime, the apprentice's rate of pay shall be increased by the same percentage as the journeyman's rate of pay for overtime is increased in the same industry or establishment;

- (5) A statement setting forth a schedule of the processes in the ~~Changes or additions indicated by underline deletions by strikeout~~

trade or industry divisions in which the apprentice is to be taught and the approximate time to be spent at each process;

(6) A statement of the graduated scale of wages to be paid the apprentice and whether the required school time shall be compensated;

(7) A statement providing for a period of probation of not more than 500 hours of employment and instruction extending over not more than four months, during which time the apprentice agreement shall be terminated by the director ~~at the request in writing upon written request~~ of either party, and providing that after such probationary period the apprentice agreement may be terminated by the director by mutual agreement of all parties thereto, or ~~executed~~ terminated by the director for good and sufficient reason;

(8) A provision that ~~all~~ controversies or differences concerning the terms of the apprentice agreement which cannot be adjusted locally shall resolved by the parties thereto, or which are not covered by a collective bargaining agreement, may be submitted to the director for determination as provided for in section 178.09;

(9) A provision that an employer who is unable to fulfill his obligation under the apprentice agreement may, with the approval of the director, transfer such contract to any other employer, provided that the apprentice consents and that such other employer agrees to assume the obligations of the apprentice agreement; and

(10) Such additional terms and conditions as may be prescribed or approved by the director not inconsistent with the provisions of this chapter.

Sec. 8. Minnesota Statutes 1971, Section 178.08, is amended to read:

178.08 DIRECTOR TO APPROVE APPRENTICE AGREEMENTS.
~~No Every apprentice agreement under this chapter shall be effective until approved is subject to approval by the director : Every apprentice agreement and shall be signed by the committee, the employer, or by an association of employers, or an organization of employees, and by the apprentice, and if the apprentice is a minor, by the minor's father; provided, that if the father is dead or legally incapable of giving consent or has abandoned his family, then by the minor's mother; if both father and mother be dead or legally incapable of giving consent, then by the guardian of the minor a parent or legal guardian . Where~~ When
 a minor enters into an apprentice agreement under this chapter for a period of training extending into his majority the apprentice agreement shall likewise be binding for such a period as may be covered during the apprentice's majority.

Sec. 9. Minnesota Statutes 1971, Section 178.09, is amended to read:

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178.09 INVESTIGATIONS BY DIRECTOR. Subdivision 1. **COMPLAINT.** Upon the complaint of any interested person or upon his own initiative the director may investigate to determine if there has been a violation of the terms of an apprentice agreement made under this chapter ~~and~~. He may hold hearings, inquiries, and other conduct such proceedings as are necessary to such for that investigation and determination. ~~The parties to such agreement shall be given a fair and impartial hearing after reasonable notice thereof.~~ All such hearings, investigations, and determinations shall be made under authority of reasonable rules and procedures prescribed by the apprenticeship council, subject to the approval of the commissioner proceedings shall be on a fair and impartial basis and shall be conducted according to rules promulgated under section 4 of this act .

Subd. 2. **DETERMINATION; APPEAL.** The determination of the director shall be filed with the commissioner and written notice shall be served on all parties affected thereby . ~~If no appeal therefrom is filed with the commissioner within ten days after the date thereof, as herein provided, such determination shall become the order of the commissioner.~~ Any person aggrieved by any determination or action of the director may appeal ~~therefrom~~ to the commissioner ; who shall hold a hearing thereon after due notice to the interested parties . ~~If no appeal is filed with the commissioner within ten days of the date of service, the director's determination shall become the order of the commissioner.~~ If an appeal is filed, the commissioner shall appoint and convene a hearing board to be composed of three members of the council, one member being a representative of an employer organization, one representative being a member of an employee organization, and one member representing the general public. Such board shall hold a hearing on the appeal after due notice to the interested parties and shall submit to the commissioner findings of fact and a recommended decision accompanied by a memorandum of the reasons therefor. Within 30 days after submission, the commissioner may adopt as his own the recommended decision of the board, or disregard the recommended decision of the board and prepare his own decision based on the findings of fact and accompanied by his memorandum of reasons for that decision. Written notice of the commissioner's determination and order shall be served on all parties affected thereby. Any person aggrieved or affected by any determination or order of the commissioner may appeal therefrom to the district court having jurisdiction at any time within 30 days after the date of such order by service of a written notice of appeal on the commissioner. Upon service of the notice of appeal, the commissioner, shall ~~forthwith~~ file with the clerk of the district court to which the appeal is taken a certified copy of the order appealed from, together with findings of fact on which ~~the same~~ it is based. The person serving ~~such a~~ notice of appeal shall within five days after the service thereof file ~~the same it~~ , with proof of service, with the clerk of the court to which ~~such the~~ appeal is taken; and thereupon the district court shall have jurisdiction over the appeal and ~~the same it~~ shall be entered upon in the records of the district court and tried ~~therein~~ de novo according to the applicable rules relating to

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~~the trial of civil actions so far as the same are applicable . Any person aggrieved or affected by any determination, order, or decision of the district court may appeal therefrom to the supreme court in the same manner as provided by law for the appeal of civil actions .~~

Sec. 10. Minnesota Statutes 1971, Section 178.04, is repealed.

Approved March 15, 1974.

CHAPTER 145—H.F.No.995

An act relating to taxation; income tax exemption for volunteer fireman pensions; amending Minnesota Statutes, 1973 Supplement, Section 290.08, Subdivision 6.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes, 1973 Supplement, Section 290.08, Subdivision 6, is amended to read:

Subd. 6. **TAXATION; INCOME TAX; VOLUNTEER FIREMEN'S PENSIONS; EXEMPTION.** Amounts, including interest, received by any person from the United States or from the state of Minnesota or any of its political or governmental subdivisions or from any other state or its political or governmental subdivisions , or a Minnesota volunteer fireman's relief association, either as a refund of contributions to, or by way of payment as a pension, public employee retirement benefit, unemployment compensation benefit, social security benefit or railroad retirement or unemployment compensation benefit, family allotment or other similar allowance;

Sec. 2. This act is effective for taxable years commencing after December 31, 1974.

Approved March 15, 1974.

CHAPTER 146—H.F.No.2717
[Not Coded]

An act relating to the city of Island View; authorizing issuance of two additional on-sale licenses for the sale of intoxicating liquor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **ISLAND VIEW, CITY OF; ON-SALE LIQUOR LI-**
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