

(8) Filing and indexing trade name; or recording notary commission; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians, or optometrists, \$5.

(9) For the filing of each partial, final, or annual account in all trusteeships, \$10.

(10) For the deposit of a will, \$5.

(11) All other services required by law for which no fee is provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

Sec. 2. Minnesota Statutes 1990, section 517.101, is amended to read:

**517.101 CERTIFIED COPIES OF MARRIAGE CERTIFICATE.**

Within ten days of receipt of the certificate and after recording the certificate the ~~court administrator~~ local registrar shall prepare ~~two a~~ a certified ~~copies~~ copy of the certificate: ~~one to be mailed to the married parties and the other to the person solemnizing the marriage.~~ The person solemnizing the marriage ~~may shall~~ indicate at the time of filing the certificate with the ~~court administrator~~ local registrar that the person ~~does not wish~~ wishes to receive a certified copy.

Sec. 3. Minnesota Statutes 1990, section 525.5501, subdivision 2, is amended to read:

Subd. 2. **FILING FEE SURCHARGE.** A ~~petitioner~~ person who pays a filing fee for a petition or application under ~~chapters this chapter and chapter~~ 524 and 525 shall pay a surcharge of up to \$20, ~~set by the county board of the county in which the petition is filed,~~ in addition to the filing fee and other surcharges imposed by law. The court administrator shall transmit the surcharge to the county treasurer for deposit in the county treasury.

Presented to the governor May 29, 1991

Signed by the governor June 1, 1991, 3:56 p.m.

**CHAPTER 282—S.F.No. 1474**

*An act relating to occupations and professions; barber registration; clarifying registration requirements for barbers, apprentices, and instructors; expanding causes for discipline; providing for summary suspension; amending Minnesota Statutes 1990, sections 154.01; 154.03; 154.04; 154.05; 154.06; 154.065, subdivisions 2 and 4; 154.07, subdivisions 1, 3, 5, 6, and by adding a subdivision; 154.09; 154.10; 154.11; 154.12; 154.14; 154.15; 154.16; 154.18; and 154.22; proposing coding for new law in Minnesota Statutes, chapter 154; repealing Minnesota Statutes 1990, sections 154.065, subdivisions 1, 3, 5, 7, and 8; 154.07, subdivision 2; 154.085; 154.13; and 154.17.*

New language is indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1990, section 154.01, is amended to read:

**154.01 REGISTRATION MANDATORY.**

(a) No person shall practice, offer to practice, or attempt to practice; barbering without a current certificate of registration as a registered barber, issued pursuant to provisions of this chapter by the board of barber examiners hereinafter established.

(b) No person shall serve, offer to serve, or attempt to serve; as an apprentice under a registered barber ~~until notice has been filed with the board of the person's intention of becoming an apprentice under a registered barber without a current certificate of registration as a registered apprentice or temporary apprentice permit issued pursuant to provisions of this chapter by the board of barber examiners.~~ The registered apprentice shall, prior to or immediately upon issuance of the apprentice's certificate of registration, and immediately after changing employment, advise the board of the name, address, and certificate number of the registered barber under whom the registered apprentice is working.

(c) ~~It is unlawful to~~ No person shall operate a barber shop unless it is at all times under the direct supervision and management of a registered barber and the owner or operator of the barber shop possesses a current shop registration card, issued under this chapter by the board of barber examiners.

(d) No person shall serve, offer to serve, or attempt to serve as an instructor of barbering without a current certificate of registration as a registered instructor of barbering or a temporary permit as an instructor of barbering, as provided for the board by rule, issued under this chapter by the board of barber examiners.

(e) No person shall operate a barber school unless the owner or operator possesses a current certificate of registration as a barber school, issued under this chapter by the board of barber examiners.

Sec. 2. Minnesota Statutes 1990, section 154.03, is amended to read:

**154.03 APPRENTICES MAY BE EMPLOYED.**

A registered apprentice may ~~not independently~~ practice barbering; ~~but may as an apprentice do any or all of the acts constituting the practice of barbering only if the registered apprentice is, at all times, under the immediate personal supervision of a registered barber and is in compliance with this chapter and the rules of the board.~~

Sec. 3. Minnesota Statutes 1990, section 154.04, is amended to read:

**154.04 PERSONS EXEMPT FROM COMPLIANCE REGISTRATION.**

New language is indicated by underline, deletions by ~~strikeout~~.

The following persons are exempt from the provisions of this chapter while in the proper discharge of their professional duties:

(1) Persons authorized by the law of this state to practice medicine, surgery, osteopathy, and chiropractic;

(2) Commissioned medical or surgical officers of the United States ~~army, navy, or marine hospital service~~ armed services;

(3) Registered nurses, licensed practical nurses, and nursing aides performing services under the direction and supervision of a registered nurse, provided, however, that no additional compensation shall be paid for such service and patients who are so attended shall not be charged for barbering;

(4) Persons practicing beauty culture, provided, however, that persons practicing beauty culture shall not hold themselves out as barbers or, except in the case of manicurists, practice their occupation in a barber shop.

Sec. 4. Minnesota Statutes 1990, section 154.05, is amended to read:

**154.05 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A REGISTERED BARBER.**

A person is qualified to receive a certificate of registration ~~to practice barbering as a registered barber:~~

(1) who is qualified under the provisions of section 154.06;

(2) ~~who is at least 18 years of age;~~

~~(3) who is of good moral character and temperate habits and free from any contagious or infectious disease; and~~

~~(4) who has practiced as a registered apprentice for a period of 12 months under the immediate personal supervision of a registered barber; and~~

~~(5) (3) who has passed a satisfactory an examination conducted by the board of barber examiners to determine fitness to practice barbering.~~

An applicant for a certificate of registration to practice as a registered barber who fails to pass a ~~satisfactory~~ the examination conducted by the board ~~must~~ shall continue to practice as an apprentice for an additional two months before being again entitled to take the examination for a registered barber.

Sec. 5. Minnesota Statutes 1990, section 154.06, is amended to read:

**154.06 WHO MAY RECEIVE CERTIFICATES OF REGISTRATION AS A REGISTERED APPRENTICE.**

A person is qualified to receive a certificate of registration as a registered apprentice:

New language is indicated by underline, deletions by ~~strikeout~~.

- (1) Who has completed at least ten grades of an approved school;
- (2) ~~Who is of good moral character and temperate habits and free from any contagious or infectious disease;~~
- (3) Who has been graduated from a school of barbering barber school approved by the board of ~~barber examiners~~; and
- (4) ~~(3)~~ Who has passed a ~~satisfactory~~ an examination conducted by the board to determine fitness to practice as a registered apprentice.

An applicant for a certificate of registration to practice as an apprentice who fails to pass a ~~satisfactory~~ the examination conducted by the board is required to complete a further course of study of ~~not less than at least~~ 500 hours, ~~to be completed in six months~~; of not more than eight hours in any one working day, in a barber school of barbering approved by the board.

A certificate of registration of an apprentice shall be a ~~temporary certificate and shall be~~ valid for four years from the date of the certificate of registration is issued by the board and shall not be renewed ~~thereafter~~. During such four-year period the certificate of registration shall remain in full force and effect only if the apprentice complies with all the provisions of this chapter, as amended, including the payment of an annual fee, and the rules of the board of ~~barber examiners~~.

If any registered apprentice shall, during the term in which the ~~temporary certificate of registration~~ is in effect, enter full time active duty in the armed forces of the United States of America, the expiration date of the ~~temporary certificate of registration~~ shall be extended by a period of time equal to the period or periods of active duty.

Sec. 6. Minnesota Statutes 1990, section 154.065, subdivision 2, is amended to read:

Subd. 2. **QUALIFICATIONS.** ~~No certificate of registration shall be issued to any person under this section unless that person has the following minimum qualifications~~ A person is qualified to receive a certificate of registration as an instructor of barbering who:

- (a) ~~(1)~~ is at least 25 years of age;
- (b) ~~is a graduate from an approved high school, or its equivalent, as determined by examination by the state board department of education;~~
- (c) ~~(2)~~ has qualified for a teacher's or instructor's vocational certificate;
- (d) ~~(3)~~ has at least three years experience as a licensed registered barber in this state, or its equivalent as determined by the board; and
- (e) ~~(4)~~ has passed the an examination prescribed and conducted by the

New language is indicated by underline, deletions by ~~strikeout~~.

board of barber examiners on subjects provided by the laws governing licensing of barbers in Minnesota to determine fitness to instruct in barbering.

A certificate of registration under this section is provisional until a teacher's or instructor's vocational certificate has been issued by the department of education. A provisional certificate of registration is valid for 30 days and is not renewable.

Sec. 7. Minnesota Statutes 1990, section 154.065, subdivision 4, is amended to read:

Subd. 4. **EXAMINATIONS.** Examinations under this section shall be held not to exceed twice a year at times and at a place or places to be determined by the board. In case of an emergency, there being no licensed registered instructor of barbering available, a temporary certificate as an instructor of barbering, valid only until the results of the next examination is held are released, may be issued upon such terms and conditions as the board may prescribe.

Sec. 8. Minnesota Statutes 1990, section 154.07, subdivision 1, is amended to read:

Subdivision 1. **ADMISSION REQUIREMENTS; COURSE OF INSTRUCTION.** No ~~barber school of barbering~~ shall be approved by the board of ~~barber examiners~~ unless it requires, as a prerequisite to admission thereto, ten grades of an approved school or its equivalent, as determined by an examination conducted by the state board of education, which shall issue a certificate that the student has passed the required examination, and unless it requires, as a prerequisite to graduation, a course of instruction of ~~not less than~~ at least 1,500 hours, ~~to be completed within 15 months~~; of not more than eight hours in any one working day; such course of instruction to include the following subjects: scientific fundamentals for barbering, hygiene, practical study of the hair, skin, muscles, and nerves, structure of the head, face, and neck, elementary chemistry relating to sterilization and antiseptics; diseases of the skin, hair, glands, massaging and manipulating the muscles of the face and neck, haircutting, shaving, and trimming the beard; bleaching, tinting and dyeing the hair, and the chemical straightening of hair.

Sec. 9. Minnesota Statutes 1990, section 154.07, subdivision 3, is amended to read:

Subd. 3. **COSTS; NUMBER OF INSTRUCTORS; HOURS.** It shall be permissible for barber schools ~~teaching the occupation of barbering~~ to make a reasonable charge for materials used and services rendered by students for work done in such schools ~~or colleges~~ by students ~~and~~.

Subd. 3a. NUMBER OF INSTRUCTORS. There shall be one registered instructor to of barbering for every 17 students or minor fraction in excess thereof of 17. No instruction shall be performed by persons not possessing a certificate of registration as an instructor of barbering or a temporary permit as an instructor of barbering.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 10. Minnesota Statutes 1990, section 154.07, subdivision 5, is amended to read:

Subd. 5. **OWNER'S REQUIREMENTS.** Any person may own and operate a barber school ~~who~~ if the person has had six years' continuous experience as a barber, provided ~~such~~ the person shall first secure secures from the board an annual ~~permit to do so~~ certificate of registration as a barber school, ~~keep the same~~ keeps it prominently displayed, and before commencing business;

(1) ~~file files~~ with the secretary of state a bond to the state approved by the attorney general in the sum of ~~\$1,000~~ \$25,000, conditioned upon the faithful compliance of the barber school with all the provisions herein, and to pay all judgments that may be obtained against the school, or the owners thereof, on account of fraud, misrepresentation, or deceit practiced by them or their agents; ~~provided, that all barber schools shall and~~

(2) ~~keep~~ keeps prominently displayed on the exterior a substantial sign ~~as indicating that the establishment is a barber school.~~

Subd. 5a. **STUDENT PERMITS.** All barber schools upon receiving students shall immediately apply to the board for student permits upon ~~blank~~ forms for that purpose furnished by the board.

Sec. 11. Minnesota Statutes 1990, section 154.07, is amended by adding a subdivision to read:

Subd. 5b. **DESIGNATED OPERATOR.** When a person who owns a barber school does not meet the requirements of this section to operate a barber school, the owner shall notify the board in writing and under oath of the identity of the person designated to operate the barber school and shall notify the board of any change of operator by telephone within 24 hours of such change, exclusive of Saturdays, Sundays, and legal holidays, and shall notify the board in writing and under oath within 72 hours of such change.

Sec. 12. Minnesota Statutes 1990, section 154.07, subdivision 6, is amended to read:

Subd. 6. **OPERATION BY TECHNICAL COLLEGE OR STATE INSTITUTION.** A public technical college or a state institution may operate a barber school provided it has in its employment a qualified instructor holding a current certificate of registration as a barber instructor and provided that it ~~shall secure~~ secures from the board of barber examiners an annual ~~permit without payment of fees prescribed by this chapter to do so~~ certificate of registration and ~~shall do~~ does so in accordance with the provisions of this chapter and the rules of the board of ~~barber examiners~~ for barber schools but without the requirement to file a performance bond with the secretary of state.

Sec. 13. Minnesota Statutes 1990, section 154.09, is amended to read:

#### 154.09 EXAMINATIONS, CONDUCT AND SCOPE.

New language is indicated by underline, deletions by ~~strikeout~~.

The board of ~~barber examiners~~ shall conduct examinations of applicants for certificates of registration to practice as ~~registered~~ barbers and ~~registered~~ apprentices not more than six times each year, at such time and place as the board may determine. An affidavit shall be filed with the board by the proprietor of a barber school that ~~the student has~~ students applying to take the apprentice examination have completed 1,500 hours in a duly approved barber school in registered with the state board.

The examination of applicants for certificates of registration as ~~registered~~ barbers and ~~registered~~ apprentices shall include both a practical demonstration and a written and oral test and embrace the subjects usually taught in ~~barber schools of barbering approved by registered with the board.~~ The examination for registered apprentices must also include a practical demonstration.

Sec. 14. Minnesota Statutes 1990, section 154.10, is amended to read:

**154.10 APPLICATION; CERTIFICATES OF REGISTRATION; FEES.**

Subdivision 1. APPLICATION. Each applicant for an initial certificate of registration shall make application to the board on forms prepared and furnished by the board with proof under oath of the particular qualifications of each applicant. This application shall be accompanied by a fee prescribed by law or the rules of the board to defray the expenses of making investigation and for the examination of such applicant.

Subd. 2. CERTIFICATES OF REGISTRATION; FEES. When the provisions of this chapter have been complied with, the board of ~~barber examiners~~ shall issue a certificate of registration as a registered barber ~~or~~, as a registered apprentice, as a registered instructor of barbering, or as a registered barber school, a temporary apprentice permit, a temporary permit as an instructor of barbering, or a shop registration card upon payment of the required fee. Certificates of registration, temporary permits, and shop registration cards are not transferable.

Sec. 15. Minnesota Statutes 1990, section 154.11, is amended to read:

**154.11 PERMITS TO PRACTICE EXAMINATION OF NONRESIDENT BARBERS AND INSTRUCTORS OF BARBERING; TEMPORARY APPRENTICE PERMITS.**

Subdivision 1. EXAMINATION OF NONRESIDENTS. A person who is at least 18 years of age and of good moral character and temperate habits meets all of the requirements for licensure in this chapter and either has a license ~~or~~, certificate of registration, or an equivalent as a practicing barber or instructor of barbering from another state or country which in the discretion of the board has substantially the same requirements for licensing or registering barbers and instructors of barbering as required by this chapter or can prove by sworn affidavits practice as a barber or instructor of barbering in another state or country for at least five years immediately prior to making application in this state, shall,

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upon payment of the required fee, be called by the board of barber examiners for examination to determine fitness to receive a certificate of registration to practice barbering or to instruct in barbering.

Subd. 2. TEMPORARY APPRENTICE PERMITS FOR NONRESIDENTS. Any person who qualifies for examination as a registered barber under this section may apply for a temporary apprentice permit which is effective no longer than six months. All persons holding a temporary apprentice permit are subject to all provisions of this chapter and the rules adopted by the board under it concerning the conduct and obligations of registered apprentices.

Sec. 16. Minnesota Statutes 1990, section 154.12, is amended to read:

**154.12 PERSONS FROM OTHER STATES; PERMIT TO PRACTICE EXAMINATION OF NONRESIDENT APPRENTICES.**

A person who is of good moral character and temperate habits meets all of the requirements for licensure in this chapter who has a license, a certificate of registration, or their equivalent as an apprentice in a state or country which in the discretion of the board has substantially the same requirements for registration as an apprentice as is provided by this chapter shall, upon payment of the required fee, be called by the board of barber examiners for examination to determine fitness to receive a certificate of registration as an apprentice. Being able to pass the required examination, the person will be issued a certificate of registration as a registered apprentice. A person failing to pass the required examination must conform to the requirements of section 154.06 before being permitted to take another examination.

Sec. 17. Minnesota Statutes 1990, section 154.14, is amended to read:

**154.14 CERTIFICATES OF REGISTRATION AND TEMPORARY PERMITS TO BE DISPLAYED.**

Every holder of a certificate of registration as a registered barber or registered apprentice or temporary apprentice permit shall display it in a conspicuous place adjacent to or near the chair where work is performed. Every holder of a certificate of registration as an instructor of barbering or as a barber school, of a temporary permit as an instructor of barbering, and of a shop registration card shall display it in a conspicuous place accessible to the public.

Sec. 18. Minnesota Statutes 1990, section 154.15, is amended to read:

**154.15 CERTIFICATES OF REGISTRATION MUST BE RENEWED ANNUALLY.**

Subdivision 1. ANNUAL RENEWAL REQUIRED. All registered barbers and registered apprentices, and registered instructors of barbering who continue in active practice or service shall, on or before December 31 each year, renew their certificates of registration for the following year and pay the required fee. Every certificate of registration which has not been renewed during the

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month of December in any year shall expire on the thirty-first day of December in that year. All shop registration cards shall be renewed on or before June 30 of each year upon payment of the required fee. All certificates of registration as a barber school shall be renewed on or before December 31 of each year upon payment of the required fee.

Subd. 2. EFFECT OF FAILURE TO RENEW. A registered barber or a registered apprentice who has ~~defaulted in renewing the~~ not renewed a certificate of registration may be reinstated within one year of such ~~default failure to renew~~ without examination upon the payment of the required restoration fee. A registered instructor of barbering who has not renewed a certificate of registration may be reinstated within three years of such failure to renew without examination upon payment of the required restoration fee. All registered barbers and registered apprentices who allow their certificates of registration to lapse for more than one year shall be required to reexamine before being issued a certificate of registration. All registered instructors of barbering who allow their certificates of registration to lapse for more than three years shall be required to reexamine before being issued a certificate of registration.

Sec. 19. Minnesota Statutes 1990, section 154.16, is amended to read:

#### 154.16 CAUSES FOR REVOCATION DISCIPLINE.

The board of barber examiners may either refuse to issue or renew, or may suspend or revoke, any certificate of registration, temporary permit, or shop registration card or censure a holder of a certificate of registration, a temporary permit, or a shop registration card for any one or combination of the following causes:

- (1) ~~Gross~~ malpractice or ~~gross~~ incompetency;
- (2) ~~Continued~~ practice by a person having an infectious or contagious disease;
- (3) advertising by means of ~~knowingly~~ false or deceptive statements;
- (4) ~~Habitual~~ drunkenness or ~~habitual or excessive~~ indulgence in the use of drugs, including but not limited to narcotics as defined in either United States Code Annotated, title 26, section 4731, or Minnesota Statutes, section 152.01, barbiturates, amphetamine, benzedrine, dexedrine, or other sedatives, depressants, stimulants, or tranquilizers;
- (5) ~~Immoral or~~ unprofessional conduct or practice and conduct or practice which violates the provisions of chapter 186;
- (6) ~~The commission of any of the offenses described in section 154.19, clause (3), (4), (5), (6), (7), or (8);~~
- (7) ~~Violation of the so-called Sunday closing laws, being sections 624.01 to 624.03;~~

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(8) A registered apprentice working in a barber shop in which the apprentice has a financial interest; and

(9) Failure to comply with the sanitary violation of any provision of this chapter or the rules of the board of barber examiners;

(7) permitting any person in one's employ, supervision, or control to practice as a registered barber, registered apprentice, or registered instructor of barbering unless that person has a current certificate of registration as a registered barber, registered apprentice, or registered instructor of barbering, a temporary apprentice permit, or a temporary permit as an instructor of barbering;

(8) obtaining or attempting to obtain a certificate of registration, temporary permit, or shop registration card for money other than the required fee, or any other thing of value, or by misrepresentation;

(9) practicing, offering to practice, or attempting to practice by misrepresentation;

(10) failure to display a certificate of registration as required by section 154.14;

(11) using any room or place for barbering which is also used for any purpose or use which violates the board's sanitary rules;

(12) failure or refusal of any barber, apprentice, or other person working in or in charge of any barber shop, or any person in a barber school engaging in the practice of barbering, to use separate and clean towels for each customer or patron, or to discard and launder each towel after once being used;

(13) failure or refusal by any barber or other person in charge of any barber shop or barber school to supply clean hot and cold water in quantities necessary to conduct the shop or the barbering service of the school, in a sanitary manner, or the failure or refusal of the person to have water and sewer connections from the shop or barber school with municipal water and sewer systems where the latter are available for use, or the failure or refusal of the person to maintain a receptacle for hot water of a capacity of not less than five gallons;

(14) failure to respond to any communication from the board or from the attorney general on behalf of the board, the refusal to permit the board to make any inspection permitted or required by this chapter, or the failure to provide the board or the attorney general on behalf of the board with any documents or records requested;

(15) failure to promptly renew any certificate of registration or shop registration card when remaining in practice, failure to pay the required fees, or issuance of a worthless check to the board;

(16) failure to supervise a registered apprentice or temporary apprentice or permitting a person not registered with the board or holding a temporary permit to practice barbering;

New language is indicated by underline, deletions by ~~strikeout~~.

(17) refusal to serve a customer because of race, color, creed, religion, disability, national origin, or sex;

(18) failure to comply with any other provision of this chapter or of the rules of the board; and

(19) failure to comply with chapter 141 or any other chapter relating to barber schools.

**Sec. 20. [154.165] SUMMARY SUSPENSION.**

The board may, in the public interest, temporarily suspend any certificate of registration, temporary permit, or shop registration card pending final determination of an order for hearing. Service of the temporary suspension order is effective if the order is served on the licensee or counsel of record personally or by first class mail to the most recent address provided by the licensee or counsel of record to the board.

Where the board has temporarily suspended a certificate of registration, temporary permit, or shop registration card, a hearing on the merits shall be held within 45 days of the issuance of the temporary suspension order. The administrative law judge shall make findings of fact, conclusions of law, and a recommendation to the board within 30 days of the date of the conclusion of the hearing. The board shall issue its findings of fact, conclusions of law, and order within 30 days of receipt of the administrative law judge's report and any exceptions to it.

Upon written request within ten days of service of the order, the board shall hold a hearing before its own members on the sole issue of whether there is a reasonable basis to continue, modify, or vacate the temporary suspension order. Evidence presented shall be in affidavit form only. The licensee or counsel of record and board staff may appear for oral argument. The board shall issue its order within five working days after the hearing.

Sec. 21. Minnesota Statutes 1990, section 154.18, is amended to read:

**154.18 FEES.**

The fees collected, as required in this chapter, chapter 214, and the rules of the board of barber examiners, shall be paid in advance to the executive secretary of the board of barber examiners. The executive secretary shall deposit the fees in the state treasury, to be disbursed by the executive secretary on the order of the chair in payment of expenses lawfully incurred by the board.

Sec. 22. Minnesota Statutes 1990, section 154.22, is amended to read:

**154.22 BOARD OF BARBER EXAMINERS CREATED; TERMS.**

A board of barber examiners is established to consist of four members appointed by the governor. Three of such members shall be practical barbers

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persons who have followed the ~~occupation of~~ practiced as a registered barber in this state for at least five years immediately prior to their appointment; shall be graduates from the 12th grade of a high school; or have ~~an~~ equivalent education; and shall have knowledge of the matters to be taught in approved registered barber schools of barbering, as set forth in section 154.07. The remaining member of the board shall be a public member as defined by section 214.02. One of the members shall be a member of, or recommended by, a union of journeymen barbers which shall have existed at least two years, and one shall be a member of, or recommended by, ~~the master a~~ a professional organization of barbers association of Minnesota.

Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214 and Laws 1976, chapter 222, sections 2 to 7.

Members appointed to fill vacancies caused by death, resignation, or removal shall serve during the unexpired term of their predecessors.

Sec. 23. **REPEALER.**

Minnesota Statutes 1990, sections 154.065, subdivisions 1, 3, 5, 7, and 8; 154.07, subdivision 2; 154.085; 154.13; and 154.17, are repealed.

Sec. 24. **EFFECTIVE DATES.**

Sections 1, paragraph (c); 10; and 12 are effective January 1, 1992.

Presented to the governor May 29, 1991

Signed by the governor June 1, 1991, 3:57 p.m.

**CHAPTER 283—S.F.No. 205**

*An act relating to insurance; modifying the allowable delinquency and related charges in premium finance agreements; amending Minnesota Statutes 1990, section 59A.10.*

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

Section 1. Minnesota Statutes 1990, section 59A.10, is amended to read:

59A.10 ~~DELINQUENCY~~ DEFAULT CHARGES.

Subdivision 1. **DELINQUENCIES.** A premium finance agreement may provide for payment by the insured of a delinquency charge. The delinquency charge may ~~be \$1 or not exceed~~ not exceed five percent of the delinquent installment; ~~but~~

New language is indicated by underline, deletions by ~~strikeout~~.