

PUBLIC EXAMINER

CHAPTER 215

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215.01 DEPARTMENT ESTABLISHED.

The verification of securities deposited with state treasurer under section 59.01 et seq. is no part of the duties of the public examiner. OAG July 14, 1944 (353-A-5).

215.03 AUDIT.

Fees of clerk of court for handling drivers' licenses must be reported; but fees received from naturalization proceedings, as member of board of auditors, or for acting on the canvassing board, need not be reported. OAG July 11, 1946 (144-a-4).

215.10 INVESTIGATE ACCOUNTING AND BUDGETING SYSTEM.

The examiner's system or opinion as to the manner of accounting prevails over the opinion or practice of the county officers. As nearly as possible the system should be uniform. OAG May 8, 1946 (353-A-1).

215.12 CITIES OF FIRST CLASS.

Total cost and expense of examination of its books and accounts by the examiner is payable by a city of the first class. The maximum charge per day for examiners engaged in the work is ten dollars per day. OAG May 8, 1942 (59-A-6).

215.19 EXAMINATION OF MUNICIPAL RECORDS.

If the auditor refuses to rescind his certificate and the public examiner begins examination under this section public examiner may enforce his claim against the town for the cost of audit. OAG Aug. 2, 1946 (353-A-3).

Taxes spread by the county auditor in pursuance with provisions of sections 215.23 and 215.24 may be over and above the tax limitation imposed upon school districts under sections 275.12 to 275.16. OAG Sept. 17, 1946 (519-m).

215.25 SUBJECT TO PRIOR ENACTMENT OF LAWS.

Subject to the ten dollar a day limitation, any city receiving service from the examiner's department must pay not only the compensation to the examiners engaged in making the audit, but a pro rata share of administrative expense of the public examiner department as well. OAG Aug. 1, 1941 (353-A).

RAILROADS, WAREHOUSES, UTILITIES, GRAIN, AND LIVE STOCK

NOTE: The department now designated "Railroad and Warehouse Commission" originated with L. 1871, c. 22. The duties of the office devolved upon one railroad commissioner appointed by the governor. By provisions of L. 1874, c. 26, a board of three commissioners, appointed by the governor, was established. The powers of the board were liberally extended including promulgation of rules and regulations, control of rates, charges, and discrimination in rates.

The law was revised by L. 1885, c. 188, the board being designated "Railroad and Warehouse Commission." L. 1887, c. 10, was an act to regulate common carriers and creating the "Railroad and Warehouse Commission," increasing the powers and duties of the commission, and defining its duties relating to common carriers.

L. 1895, c. 152, declared express companies to be common carriers and within the jurisdiction of the commission.

L. 1899, c. 39, provided for the election of members of the commission at the general election.

By the revision of 1905, the law was codified dealing with: (1) departmental duties and proceedings; (2) railroads and common carriers; (3) storage and shipment of grain; (4) elevator sites; (5) commission merchants; and (6) packing house certificates.

L. 1905, c. 196, gave the commission supervision of public hay tracks.

L. 1911, c. 140, increased the term of office of the commissioners to six years, one being elected every two years. L. 1911, c. 156, created the division of weights and measures under the supervision of the commission.

L. 1915, c. 152, vested in the railroad and warehouse commission the same jurisdiction and the same supervisory powers over telephone and telegraph companies as it had over railroads and express companies, and prescribed regulatory laws relating to telephone companies. L. 1915, c. 210, placed warehouses in certain municipalities under the control of the commission.

Control of live stock dealers, exchanges, and live stock commission merchants was placed under the jurisdiction of the railroad and warehouse commission by L. Ex. 1919, c. 39, liberally amended by L. 1921, c. 9. The commission was given supervision of public stock yards by L. 1919, c. 461.

Street, suburban, and interurban railways were placed under the jurisdiction of the commission by L. 1921, c. 278.

The commission was given supervision of public local grain warehouses by L. 1923, c. 114, and of public terminal warehouses by L. 1923, c. 201.

Supervision and regulation of transportation of persons and property for hire as common carriers on any highway of the state by motor vehicles was imposed on the commission by L. 1925, c. 185. L. 1933, c. 170, dealt with contract carriers, and L. 1937, c. 431, with the operation of commercial motor vehicles.

Control of the storage of grain on farms was placed with the commission by L. 1935, c. 65.

Laws relating to packing house certificates originated with L. 1903, c. 403. Uniform warehouse receipts act originated with L. 1913, c. 161, and the uniform bills of lading act with L. 1917, c. 399.

Railroad commission as a model for judicial reform. 2 MLR 479.

Public utility regulation as it relates to city and state. 6 MLR 32, 140.

Control of public utilities. 16 MLR 457.

History of Minnesota public utility legislation. 16 MLR 471.

State prorate marketing program; validity of state regulations which affect interstate commerce. 27 MLR 468.