

MINNESOTA STATUTES 1979 SUPPLEMENT

UNIFORM CODE OF MILITARY JUSTICE 192A.25

184.22 Licenses required.

Subdivision 1. **Individuals; separate locations.** No person shall engage in the business of or act as an employment agent or counselor unless he first obtains a license from the department. Each separate location for the business of an employment agency or for employment counseling shall have a separate agency license and a licensed manager who shall have immediate control of only one location.

Subd. 2. **Exemptions.** The provisions of sections 184.21 to 184.41 shall not apply to any person, firm, corporation, partnership or association engaged in the business of a management consultant or management search consultant (hereafter "search firm") provided that: (1) the search firm is retained by, acts solely on behalf of and is compensated on a noncontingency basis solely by an employer, pursuant to a written retainer agreement specifying the particular search or consultation assignment, to identify, appraise or recommend an individual or individuals for consideration for an executive or professional position for a beginning annual base salary (exclusive of bonuses or commissions) of at least \$27,000, which amount shall be adjusted every second year by an amount equal to the percentage change in the Consumer Price Index recorded by the U. S. Department of Labor; and (2) in no instance does any individual who is identified, appraised or recommended for consideration for an executive or professional position become liable in whole or in part to pay a fee of any kind, directly or indirectly, on account of any service performed by the search firm; and (3) in no instance shall the search firm or its agents solicit, persuade or induce any individual to terminate his or her employment with an employer with whom the search firm has placed an individual; and (4) the search firm shall not carry on any other activity that comes within the definition of employment agency as hereinbefore defined. Each search firm shall file annually with the commissioner a sworn statement indicating whether or not it has conducted its business during the past year in a manner consistent with the above provisions, exempting search firms from regulation as employment agencies. The statement shall include, in addition to other information the commissioner may by rule require, a representation as to whether the search firm has placed any advertisements in the "help wanted" columns of newspapers published in Minnesota. If the commissioner at any time has reason to believe that the search firm has not conducted its business in a manner consistent with the above four conditions, the commissioner is authorized to inspect the relevant records of the search firm for the purpose of confirming whether the search firm has maintained its exempt status during the year. If it is determined, either by written admission by the search firm or by a finding of fact in a court of law or by a hearing officer pursuant to chapter 15, that any of the four conditions were not met, the search firm shall thereafter be considered an employment agency and subject to the provisions of sections 184.21 to 184.41. In the event an employment agency offers services which are the same or similar to those offered by a search firm, or in the event a search firm offers services which are the same or similar to those offered by an employment agency, the person or entity offering these combined employment agency and search firm services shall identify itself to the public by displaying the name in which it is registered with the commission as a licensed employment agency.

[1979 c 5 s 1]

CHAPTER 192A. UNIFORM CODE OF MILITARY JUSTICE

Sec.
192A.25 Opportunity to obtain witnesses and other evidence.

Sec.
192A.555 Drunken or reckless driving.

192A.25 Opportunity to obtain witnesses and other evidence.

[For text of subd 1, see M.S.1978]

Subd. 2. The military judge of a court-martial may:

(1) Issue a warrant for the arrest of any accused person who having been served with a warrant and a copy of the charges disobeys a written order by the convening authority to appear before the court;

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- (2) Issue subpoenas duces tecum and other subpoenas;
- (3) Enforce by attachment the attendance of witnesses and the production of books and papers; and
- (4) Sentence for refusal to be sworn or to answer, as provided in actions before civil courts of the state.

[For text of subd 3, see M.S.1978]

[1979 c 50 s 21]

192A.555 Drunken or reckless driving.

Any person subject to this code who drives, operates or is in actual physical control of any vehicle or aircraft while under the influence of an alcoholic beverage or narcotic drug or a combination thereof or whose blood contains 0.10 percent or more by weight of alcohol or who operates said vehicle or aircraft in a reckless or wanton manner, shall be punished as a court-martial may direct. Chemical and other tests for intoxication shall be made only in accordance with regulations issued under this code.

[1979 c 50 s 22]

CHAPTER 197. VETERANS; REWARDS, PRIVILEGES

Sec.	
197.16	Commissioner to manage appropriation.
197.78	State educational programs unavailable through federal programs.

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. The commissioner of veterans affairs 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 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 may establish and collect fees for use of the facilities of the Big Island Veterans Camp, the proceeds of which are appropriated to the commissioner for the general operation and maintenance of the camp.

[1979 c 333 s 92]

197.78 State educational programs unavailable through federal programs.

[For text of subd 1, see M.S.1978]

Subd. 2. [Repealed, 1979 c 335 s 18]

CHAPTER 198. MINNESOTA VETERANS HOME

Sec.		Sec.	
198.075	Minnesota veterans home employees; excluded from commissary privileges.	198.31	Veterans home, Hastings.

198.075 Minnesota veterans home employees; excluded from commissary privileges.

No commissary privileges including food, laundry service, janitorial service, and household supplies shall be furnished to any employee of the Minnesota veterans home.

[1979 c 333 s 93]