

CHAPTER 266—H. F. No. 1301

An act providing for the creation of boards of police commissioners in all cities of the fourth class situated in one county and adjoining or contiguous to a city of the first class situated in another county.

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

Section 1. Board of police commissioners created in cities of fourth class.—There may be created in any city of the fourth class situated in one county and adjoining or contiguous to a city of the first class situated in another county, a board of police commissioners with powers and duties as hereinafter provided.

Any city in the class mentioned in this act which may wish to avail itself of the provisions hereof, shall do so by a resolution of the governing body, expressly accepting the provisions hereof, which resolution shall be adopted by a vote of the majority of the members of the governing body, and be approved by the mayor of such city, and this act shall not apply to any such city until the adoption as aforesaid of such resolution.

Sec. 2. Members—terms—appointment.—Said board shall consist of three members, who shall be residents and electors of the city during their term in office, and shall be appointed by the mayor of the city, and the appointment confirmed by a majority vote of the governing body thereof. The members of the board shall hold office for a period of six years from the time of their appointment, and shall serve without pay; provided, however, that the members of the first board shall be appointed for two, four and six years respectively.

Sec. 3. Meetings—officers.—The board shall first meet immediately after its appointment, and thereafter on the second Monday in January of each year, at which meetings it shall select from its members a president and secretary who shall hold office until their successors are elected. The common council of said city may allow the secretary such compensation not to exceed \$200.00 per year as it deems commensurate with the services to be rendered by him.

Sec. 4. Duties and powers of board.—The board shall have absolute control and supervision of the government and administration, discipline and equipment of the police department of said city, and shall also have the power to appoint, promote, suspend, reprimand, dismiss and otherwise punish any member of the police department. The board may establish such reasonable rules, orders and regulations and pre-

scribe and impose penalties for violation thereof, as it may deem necessary in carrying out the above powers.

Sec. 5. Shall recommend increases in police force.—Whenever the board shall deem it necessary to increase the number of police officers in the city, they shall recommend the necessity of such increase to the common council of the city with an estimate of the cost thereof, who shall, if they concur with such recommendation, provide by resolution for the increase and the extra expense to be incurred and provide funds for that purpose.

Sec. 6. Shall fix compensation of police force.—The board shall fix the compensation of all members of the police department; provided, however, that the expense of the department shall not exceed in any one year the amount that is appropriated and set apart for this purpose by the common council of the city.

Sec. 7. May appoint special policemen.—Upon written petition by a resident of the city, the board, in its discretion, may appoint special policemen who shall serve without compensation and may be removed at the pleasure of the board and may also appoint special policemen and fix their compensation in case of emergency, insurrection, apprehension of riot, or when in the judgment of the board the public interest requires it.

Sec. 8. May appoint police chief.—The board may in its discretion appoint a chief of police who shall be the chief executive officer of the police department, subject to the authority of the board.

Sec. 9. May be abolished by vote.—Any board of police commissioners hereafter created, pursuant to the provisions of this act, may be discontinued and abolished as follows: A petition signed by ten per cent of the number of legal voters voting at the last general municipal election shall be filed with the governing body of the city and shall request that the following question be submitted to the voters: "Shall the board of police commissioners be abolished?"

When such petition is filed, the governing body of the city shall cause the question to be submitted to the voters at the first following general municipal election. The board shall be deemed to be abolished if a majority of the votes cast in the election be in favor of such abolishment; and the status of the police department and all of the employees thereof shall thereafter be deemed to be the same as if the board has not been created.

Approved April 16, 1941.