

of this act be relieved of any duties imposed upon him or his office by law.

Sec. 6. [Subd. 6.] When a contract is entered into by the county and any municipality pursuant to the provisions of this act, those employees of the municipality who are at the time of the contract working on a full time basis for the municipality in a law enforcement capacity may, by action of the county civil service commission, if there be a county civil service commission, become employees of the county in such appropriate classification as may be determined by the said county civil service commission, and such employees shall be subject to and protected by the provisions of the laws establishing such county civil service commission.

Approved April 17, 1961.

CHAPTER 416—H. F. No. 1342

[Not Coded]

An act relating to St. Louis county; county civil service; amending Laws 1941, Chapter 423, Sections 5, as amended, and 14.

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

Section 1. Laws 1941, Chapter 423, Section 5, as amended by Laws 1943, Chapter 608, and Laws 1951, Chapter 425, Section 1, is amended to read:

Sec. 5. **Duties of director.** The civil service director as executive head of the county civil service commission shall direct and supervise all of its administrative and technical activities in addition to the duties imposed upon him, elsewhere in this act, and it shall be his duty to:

(a) Attend the regular and special meetings of the county civil service commission, to act as its secretary and to record its official actions.

(b) Appoint, supervise and direct such employees of the civil service department as may be necessary to carry out the provisions of this act. Such employees shall be chosen in accordance with and shall be subject to the provisions of this act.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

(c) Prepare and recommend rules and regulations for the administration of this act, which shall become effective after approval by the commission and the board of county commissioners, as provided in this act, to administer such rules and regulations and to propose amendments thereto.

(d) Establish and maintain in card or other suitable form a roster of all officers and employees in the service of the county, which shall show the employment history of each such employee. The director shall have access to all records and papers, the examination of which will aid in the discharge of his duties in connection with such roster.

(e) Ascertain and record the duties and responsibilities pertaining to all positions in the classified service and classify such positions in the manner hereinafter provided.

(f) As soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates and ranges for each class, grade or group of positions in the classification. Such salary and wage schedules when approved by the civil service commission after public hearing shall be submitted to the board of county commissioners who may approve or reject such schedules. When approved by the board of county commissioners, they shall be used in connection with all payrolls and accounting records and with all budget estimates for all departments or agencies of the county government. Nothing in this section shall prevent the board of county commissioners from increasing or reducing the salary or wage rates of all positions in an entire grade or group uniformly, but it shall not increase the rate of pay of any class of positions beyond the rate in the next higher grade or group, nor reduce the pay of any grade or group below the rate of pay fixed for the next lower grade or group in the same service.

(g) Provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class of positions and as a result thereof, establish employment lists for the various classes of positions.

(h) When a vacant position is to be filled, to certify to the appointing authority ~~on written request~~ the names of the three persons highest on the re-employment, *promotional*, or employment list for the class, *provided, however, that if there are less than three names remaining on the re-em-*

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ployment or the promotional lists, the director shall certify such lesser numbers remaining on said lists, thereby using all names of persons willing to accept appointment before drawing any names from an employment list. If there are no such lists, he may authorize provisional appointments pending the establishment of such employment list for such class. Such provisional appointment shall not continue for a period longer than four months, nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year, nor shall there be more than one provisional appointment to any given position in any 12 months period; except that, after November 3, 1942, and prior to the time that lists of eligibles are available, appointments to offices and employments in the classified service may be made in accordance with existing laws and without regard to the provisions of this act. Persons so appointed shall not be entitled to any of the privileges set forth in this act except in the case of appointments made through merit examinations under authority of Laws 1941, Chapter 476, Section 5 1, but they shall be permitted to apply for and take any competitive examination for which they may be eligible. Such employees may continue in such employment, notwithstanding any contrary provisions of this act, until 60 days after the director shall have certified that lists of eligibles are available for such office or employment, whereupon the employment of such persons shall automatically terminate and such office or employment shall be filled from such lists of eligibles as provided in this act. In case of an emergency, an appointment may be made of not to exceed ten days duration without regard to the provisions of this act, which appointment shall be immediately reported to the civil service director. Successive emergency appointments shall not be made.

(i) Establish the length of the probation or working test period which shall not be less than six months and not more than 12 months, during which time discharges may be effected without specifying cause or granting a hearing, to enable the appointing authority to determine whether new officers and employees are able and willing to perform their duties satisfactorily; and for the method of removal or transfer of such officers and employees whose work or conduct during such period is unsatisfactory.

(j) Establish record of performance and a system of service ratings to be used in determining increases and decreases in salaries and in promotions.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

(k) Keep such record as may be necessary for the proper administration of this act.

(l) Provide a system of checking payrolls, estimates and accounts for payment of salaries or wages to employees in the classified service, as to enable the director upon satisfactory evidence thereof, to certify or cause to be certified that the persons whose names appear thereon have been regularly employed in the performance of the duties indicated at the compensation rates and for the periods for which compensation is claimed or are on authorized leave before payment may be lawfully made to such employees.

(m) Make investigations concerning the administration and effect of this act and the rules made thereunder, and report his findings and recommendations to the commission.

(n) Make an annual report to the county civil service commission.

Sec. 2. Laws 1941, Chapter 423, Section 14, is amended to read:

Sec. 14. **Shall make requisition to fill vacancy.** Whenever a position in the classified service becomes vacant the appointing authority, if it desires to fill the vacancy, shall make requisition upon the civil service director whereupon the civil service director shall certify the names of the three persons highest on the re-employment ~~or employment list for the class, and list, or where there is no re-employment list the director shall certify the names of the three highest on the promotional list.~~ *In case there are less than three names on the re-employment or promotional lists, the director shall certify the number of names remaining on said lists willing to accept appointment provided that no name shall be certified from an employment list as long as there is a re-employment list or a promotional list for the class. The appointing authority shall at its discretion appoint one of the persons so certified for the working test period. At the end of the working test period the appointing officer shall notify the civil service director in writing whether the probationer is a satisfactory employee and should receive the status of a permanent appointee. Upon such notice the employee, if his service during the working test period did not fall below such minimum standards as have been prescribed by the civil service director, shall be deemed to have*

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a permanent classified civil service status; otherwise the employee is automatically separated from the service.

Approved April 17, 1961.

CHAPTER 417—H. F. No. 1358

An act relating to gift taxes; amending Minnesota Statutes 1957, Section 292.01, Subdivision 3.

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

Section 1. Minnesota Statutes 1957, Section 292.01, Subdivision 3, is amended to read:

Subd. 3. **Nature of transfer and property.** The tax shall apply whether the transfer is in trust or otherwise, whether the gift is direct or indirect, and whether the property is real, personal, or mixed, or tangible or intangible. *When property is transferred by gift in trust or otherwise, and the rights, interest, or estates of the transferee are dependent upon contingencies or conditions whereby they may be wholly or in part created, defeated, extended, or abridged, a tax shall be imposed upon the transfer at the highest rate which, on the happening of any of the contingencies or conditions, would be possible under the provisions of this chapter.*

Approved April 17, 1961.

CHAPTER 418—H. F. No. 1361

An act relating to obtaining the benefit of state death taxes allowed under the federal estate tax law amending Minnesota Statutes 1957, Section 291.34.

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

Section 1. Minnesota Statutes 1957, Section 291.34 is amended to read:

291.34 **Estate tax.** (A) There shall be assessed by the probate court, in addition to the inheritance tax as now provided by sections 291.01 to 291.33, an estate tax upon all estates which are subject to taxation under the present

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