

CHAPTER 326—H.F.No.1275

An act relating to retirement allowances for employees of cities of the first class; amending Minnesota Statutes 1969, Section 422.17.

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

Section 1. Minnesota Statutes 1969, Section 422.17, is amended to read:

422.17 CITIES OF THE FIRST CLASS; EMPLOYEES; RETIREMENT. The retirement board shall meet on the second Tuesday of each calendar month of each year and may adjourn from time to time. Special meetings may be held upon the call of the president. At the first regular meeting, which shall be held on the first Tuesday of July following the date this chapter becomes effective in any city, or as soon thereafter as practicable, the retirement board shall by a four fifths vote of all members of the board appoint an executive secretary, who shall have charge of the performance of the duties required by the provisions of this chapter, and shall appoint other necessary clerical help.

~~The executive secretary and administrative assistant shall be qualified by training and experience in accounting, law, investments and legislative procedures. The executive secretary and administrative assistant appointed by the board shall be appointed from a list of candidates established for each position by the civil service commission following written or oral examination or both held by such commission in the manner established by its rules and regulations commensurate with the responsibilities of the position. It shall be the duty of such commission to hold such examination for each position to be filled and establish such list of candidates within 90 days following the date of receipt of a request by the board for such examination. The board shall appoint the executive secretary within 30 days following the establishment of such list.~~

~~The retirement board is authorized to employ the executive secretary appointed by the board following the examination by the civil service commission as provided in this section within the 60 day period prior to the vacating of the position by the incumbent executive secretary, and to fix and pay the salary of such appointee during the period prior to assuming the position of executive secretary.~~

~~If the position of executive secretary, as outlined in this section, is vacated at age 65, as required by Section 422.04, Minnesota Statutes, and the position has not been filled, as outlined in this section, the then incumbent executive secretary shall continue in office until a successor has been appointed and qualifies and for not~~

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to exceed 60 days thereafter, the 60 day extension period, or any part thereof, to be at the discretion of the retirement board.

~~The retirement board shall request the civil service commission to hold an examination for the position of executive secretary, as provided in this section, at least six months prior to the compulsory retirement age of an incumbent executive secretary, and within five days if a vacancy occurs in the office of executive secretary due to death, resignation, removal, or failure of an appointee to qualify.~~

~~The executive secretary and administrative assistant shall not be subject to any civil service laws, rules or regulations, except as to appointment as herein provided.~~

If at the time of his appointment as executive secretary the appointee holds a position subject to the civil service rules and regulations of the city he shall be deemed to be on leave of absence from such civil service position during his tenure as executive secretary, and upon termination of such service shall be returned to his permanent civil service classification. If no vacancy is available in his permanent civil service classified position, seniority shall prevail, and the person most recently certified to such position shall be returned to the permanent civil service classification held by him prior to such certification.

The executive secretary may be removed by a four-fifths vote of all members of the board at a meeting called for such purpose. Before exercising the power of removal 15 days written notice shall be given to the executive secretary setting forth the cause for removal and stating the time and place where such charges will be heard. The hearing shall be open to the public.

Other employees under the supervision of the board at the time of adoption of Laws 1961, Chapter 694 and employees appointed hereafter ~~except an administrative assistant~~ shall be subject to applicable civil service laws and rules of the city.

~~An administrative assistant may be removed by the board after hearing, on due notice on the cause for removal and if so removed shall not be eligible for appointment as executive secretary.~~

The compensation of the executive secretary and the other employees under the supervision of the retirement board shall be fixed by such board.

At the regular meeting in January each year, the board shall elect one of its members as president, one member as vice president, and one member as recording secretary, who shall hold office for one year or until successors have been elected and qualified. The president shall preside at all meetings at which he is present. In the absence of the president the vice president shall preside and have all the powers of the president while acting as such. The recording

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secretary shall keep a record of all proceedings of the board, which shall be open to public inspection. At least one of the officers of the board shall be one of the representatives elected by the employees of the city to the board.

Subject to the limitations of the law of the state, the retirement board shall from time to time establish rules and regulations for the administration of the fund or funds created by this chapter and for the transaction of its business. Roberts rules of order shall be the rules of order of the retirement board except as otherwise specifically adopted.

For the purpose of administration, except as otherwise herein provided, the executive secretary, under the direction of the retirement board, shall be and is hereby authorized and directed to perform or cause to be performed any and all acts and to make such regulations as may be necessary and proper for the purpose of carrying the provisions of this chapter into full force and effect.

Approved May 17, 1971.

CHAPTER 327—H.F.No.1393

[Coded]

An act relating to highway traffic regulations; inspection of school buses; amending Minnesota Statutes 1969, Chapter 169, by adding a section.

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

Section 1. Minnesota Statutes 1969, Chapter 169, is amended by adding a section to read:

[169.451.] HIGHWAY TRAFFIC REGULATION; SCHOOL BUSES; INSPECTION. Subdivision 1. The Minnesota highway patrol shall inspect every school bus at least once each school year to ascertain whether its construction, design, equipment, and color comply with all provisions of law.

Subd. 2. No person shall drive, or no owner shall knowingly permit or cause to be driven, any school bus unless there is displayed thereon a certificate issued by the commissioner of public safety stating that on a certain date, which shall be within 13 months of the date of operation, a member of the Minnesota highway patrol inspected the bus and found that on the date of inspection the bus complied with the applicable provisions of state law relating to construction, design, equipment, and color. The commissioner of

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