
CHAPTER 183—S.F.No.1821

An act relating to civil service; providing for the status of persons holding positions changed to the unclassified service; amending Minnesota Statutes, 1975 Supplement, Section 43.09, Subdivision 2a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes, 1975 Supplement, Section 43.09, Subdivision 2a, is amended to read:

Subd. 2a. **STATE GOVERNMENT; CIVIL SERVICE; ADDITIONAL UNCLASSIFIED POSITIONS.** Notwithstanding any other law to the contrary, the personnel board, upon the request of the governor, is hereby authorized to establish permanent unclassified positions, or to unclassify previously classified positions, provided that:

(1) Positions so established involve only deputy or assistant heads of departments or agencies, or director level positions which are not specifically established by law, and who are appointed by and report directly to a head of a department or agency who is required by law to be appointed by the governor, or by a gubernatorially appointed board; as well as one position for a personal secretary of any head of a department or agency listed in clause (4).

(2) Classified incumbents of such positions, if any, are not removed from that position for a period of one year except under applicable provisions of rules and laws governing classified state employees. An incumbent of a position that is declassified pursuant to this subdivision, if he so requests within 120 days after being removed from that position, shall be appointed to a classified position comparable to the position that was declassified, or if such a position is unavailable, to a position comparable to that which he held immediately prior to being appointed to the position that was declassified. If a position is declassified and the incumbent at the time the position was declassified had no classified status immediately prior to the appointment to the position that was declassified, he shall, if he so requests within 120 days after being removed from that position, be appointed to a comparable or lower classified position within two salary ranges of the position that was declassified.

(3) If an employee in the classified civil service accepts a newly created unclassified position, he shall retain an inactive classified civil service status and, upon his request, ~~the commissioner of personnel shall reappoint him be reappointed to his previous~~ a classified position; or to a comparable position comparable to that which he held immediately prior to being appointed to the position that was declassified.

Changes or additions indicated by underline deletions by ~~strikeout~~

(4) Positions so established are limited in number to six in the departments of administration, corrections, finance, highways, natural resources, public safety, public welfare, and revenue; to five in the departments of commerce, education, health, labor and industry, and personnel; to four in the departments of agriculture, economic development, and employment services; to three in the departments of aeronautics, public service, and the planning agency and pollution control agency; and to two in the departments of human rights and veterans affairs. Departments or agencies not enumerated in this clause shall not be authorized to establish additional unclassified positions under the provisions of this subdivision.

(5) Funds are available.

Sec. 2. EFFECTIVE DATE. This act shall be effective the day after final enactment. An incumbent of a position that was declassified during his incumbency and within one year prior to the effective date of this act shall have the rights accorded by this act.

Approved April 8, 1976.

CHAPTER 184—S.F.No.1838

An act relating to crimes; accusation; increasing the limitation on time in which an indictment for offering of bribes to or acceptance of bribes by public officers or employees may be found; amending Minnesota Statutes 1974, Section 628.26.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 628.26, is amended to read:

628.26 CRIMES; BRIBERY; LIMITATIONS. Indictments for murder may be found at any time after the death of the person killed; indictments for violation of section 609.42, subdivision 1, clauses (1) or (2) shall be found and filed in the proper court within six years after the commission of the offense; in all other cases, indictments shall be found and filed in the proper court within three years after the commission of the offense; but the time during which the defendant shall not be an inhabitant of, or usually resident within, this state, shall not constitute any part of the ~~limitation of three years~~ limitations imposed by this section.

Sec. 2. EFFECTIVE DATE. This act is effective for offenses committed after April 15, 1976.

Changes or additions indicated by underline deletions by ~~strikeout~~