

ambulance services in order to finance its costs.

Sec. 7. This act is effective upon its approval by the governing body of the city of Cottage Grove, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 4, 1977.

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CHAPTER 39—H.F.No.148

[Not Coded]

*An act relating to the city of Minneapolis; providing for the selection of supervisor of license inspection for the Minneapolis police department; amending Laws 1961, Chapter 108, Section 2, as amended.*

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

Section 1. Laws 1961, Chapter 108, Section 2, as amended by Laws 1969, Chapter 604, Section 2, is amended to read:

Sec. 2. **MINNEAPOLIS, CITY OF; POLICE DEPARTMENT; SUPERVISOR OF LICENSE INSPECTION; CHIEF TO APPOINT AND DISCHARGE.** Such positions may be filled by the chief of police without examination and such appointees may be removed by him at will. The chief of police in making an appointment to the position of supervisor of license inspection shall appoint someone who has a minimum of four years of investigative experience within the department.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of the city of Minneapolis and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 4, 1977.

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CHAPTER 40—H.F.No.301

*An act relating to veterans; establishing a deadline for entering military service and becoming eligible for veterans preference; redefining the term "veteran" for certain other purposes; amending Minnesota Statutes 1976, Sections 43.30 and 197.447.*

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

Section 1. Minnesota Statutes 1976, Section 43.30, is amended to read:

43.30 **VETERANS PREFERENCE.** The provisions of this section shall govern the **Changes or additions indicated by underline deletions by ~~strikeout~~**

granting of veterans' preference for the state civil service.

A veterans' preference shall be available pursuant to this section to every person who ~~has been~~ enters the military service of this country prior to December 31, 1976, and is separated under honorable conditions from any branch of the armed forces of the United States; (a) after having served on active duty for 181 consecutive days or (b) by reason of disability incurred while serving on active duty, and who is a citizen of the United States. A veteran thus preferred shall not be disqualified from holding any position in the classified service on account of his age or by reason of any physical disability provided such age or physical disability does not render him incompetent to perform the duties of the position.

Recognizing that training and experience in the services of the government and loyalty and sacrifice for the government are qualifications of merit which cannot be readily discovered by examination; there shall be added to the examination rating of a disabled veteran, if he so elects, a credit of ten points if the veteran obtained a passing grade without the addition of the credit points; and if the disabled veteran is able to perform the duties of the position sought with reasonable efficiency, his name shall be placed on the list of eligibles with the names of other eligible persons. The name of a veteran with such augmented rating shall be entered ahead of a nonveteran when their ratings are the same.

There shall be added to the examination rating of a nondisabled veteran, if he so elects, a credit of five points if the veteran obtained a passing grade without the addition of the credit points. The name of a veteran with such augmented rating shall be entered ahead of a nonveteran when their ratings are the same.

A governmental agency, when notifying an applicant that he has passed an examination, shall notify the veteran of his specific score and shall also notify the applicant that he may elect to use a veteran's preference to augment his passing rating.

A veteran's preference under this section may only be used in the state civil service and political subdivisions of the state in the securing of positions to be filled by open competitive examinations and may not be used for the filling of promotional positions. An open competitive examination is an examination open to current employees and nonemployees of the state or political subdivision. A veteran's preference under this section may not be used by any veteran who is receiving or who is eligible to receive a monthly veteran's pension benefit based exclusively on length of military service.

Notwithstanding the foregoing restrictions on use, in any governmental agency giving an examination, where an applicant for a promotional position is a disabled veteran who has passed the promotional examination for his first promotion after entering that position, he may elect to have a credit of five points added to that examination rating. The decision to make such election may be made either before or after the examination. This promotional preference may only be successfully used one time and only in the securing of the first promotional position after securing public employment.

A preference given by this section is hereby extended to the surviving spouses of

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deceased veterans and to the spouse of a disabled veteran, who because of the disability is unable to qualify.

The fact that an applicant has claimed a veterans preference shall not be made known to the examiners. The preference credit shall be added to the examination rating, and the records shall show the examination rating and the preference credit.

A disabled veteran is one who has a compensable service connected disability as adjudicated by the United States Veterans Administration, or by the retirement boards of the several branches of the armed forces, and which disability is existing at the time preference is claimed. The commissioner may require candidates claiming preference as disabled veterans to submit documentary evidence in support of their claim and may anticipate certification by the veterans administration where necessary to avoid delays in establishing an eligible list. For purposes of the preference to be used by a disabled veteran in securing a promotional position, the term "disabled veteran" means a person who, at the time of election to use his promotional preference, is entitled to disability compensation under laws administered by the veterans administration for a permanent service connected disability rated at 50 percent or more.

In the event of the rejection by the appointing officer of the person so preferred when certified to fill a vacancy or a new position, the appointing officer shall forthwith file in writing with the commissioner the reasons for such rejection and shall furnish to the rejected veteran a copy thereof.

Sec. 2. Minnesota Statutes 1976, Section 197.447, is amended to read:

197.447 **VETERAN, DEFINED.** The word "veteran" as used in sections 196.02, 196.07, 197.59, 197.601, 282.031, and 282.032 means any person ~~honorably discharged from who has been separated under honorable conditions from any branch of the armed~~ forces of the United States who served in the Civil War, Spanish American War, Philippine Insurrection, China Relief Expedition, World War I between April 6, 1917 and November 11, 1918; both dates inclusive; on or after December 7, 1941 until final cessation of all hostilities as determined by the proper state authorities in order to give recognition for service performed in the following hostile actions: World War II; Korean conflict; Lebanon crisis; Berlin crisis; Quemoy and Matsu; Taiwan Straits; Cuban crisis; the Congo; Laos; the Dominican Republic and Vietnam; and to include service therein but not to exclude persons who did not have service in those areas. The word "veteran" does not include a person enlisted and accepted for active training only for a period of six months or less after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, and who is a citizen of the United States.

Approved May 4, 1977.

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CHAPTER 41—H.F.No.380

*An act relating to bicycles; registration; administration of the bicycle registration law;*

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