

*public defenders; amending Minnesota Statutes 1976, Section 611.24.*

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

Section 1. Minnesota Statutes 1976, Section 611.24, is amended to read:

**611.24 ORGANIZATION OF OFFICE; ASSISTANTS.** Subject to the approval of the judicial council, the state public defender may employ or retain assistant state public defenders and such other employees personnel as may be necessary to discharge the function of the office. The commissioner of administration shall provide such office with suitable quarters outside the capitol building. An assistant public defender shall be a qualified attorney, licensed to practice law in this state, shall be in the unclassified service of the state if employed, and shall serve at the pleasure of the appointing authority at a salary or retainer fee not to exceed \$12,500 annually reasonable compensation for comparable services performed for other governmental agencies or departments. ~~A Retained or part-time employed assistant state public defender may be employed on a part time basis and when so employed;~~ defenders may engage in the general practice of law.

Approved March 23, 1978.

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CHAPTER 541-S.F.No.2316

*An act relating to political subdivisions; prohibiting employees of political subdivisions from engaging in certain political activities; precluding subdivisions from enforcing additional limitations; amending Minnesota Statutes 1976, Section 43.28.*

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

Section 1. Minnesota Statutes 1976, Section 43.28, is amended to read:

**43.28 POLITICAL ACTIVITIES PROHIBITED. Subdivision 1. RIGHTS AND OBLIGATIONS OF PUBLIC EMPLOYEES.** No officer, agent, clerk, or employee of this state or any political subdivision thereof shall, directly or indirectly, during his hours of employment solicit or receive funds, or at any time use his authority or official influence to compel any officer or employee in the classified service to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription, or contribution, or to take part in any political activity. Any person who violates any provision of this section shall be guilty of a misdemeanor, and shall be punished accordingly, and if any officer or employee in the classified service is found guilty of violating any provision of this section, he is automatically separated from the service. No political subdivision may impose or enforce any additional limitations on the political activities of its employees.

**Subd. 2. LEAVES OF ABSENCE FOR STATE EMPLOYEES.** Except as herein provided any officer or employee in the state classified service shall:

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

(1) Take leave of absence upon assuming an elected federal or state public office, including elected state legislative office;

(2) Take leave of absence upon assuming any elected public office other than enumerated in clause (1), if, in the opinion of the commissioner of personnel, the holding of such office conflicts with his regular state employment;

(3) Upon his request, be granted leave of absence upon becoming a candidate, or during the course of such candidacy, for any elected public office;

(4) Take leave of absence upon becoming a candidate, or during the course of candidacy, for any elected public office if, in the opinion of the commissioner of personnel, such candidacy conflicts with his regular state employment.

All requests for opinions of the commissioner of personnel, and opinions from the commissioner under the provisions of clauses (2) and (4) shall be in written form and shall be delivered by registered mail.

The commissioner of personnel shall issue an opinion under the provisions of clauses (2) and (4) within seven calendar days of receipt of the request.

Sec. 2. This act is effective the day following final enactment.

Approved March 23, 1978.

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#### CHAPTER 542-H.F.No.267

*An act relating to negligence; defining liability of good samaritans; amending Minnesota Statutes 1976, Section 604.05.*

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

Section 1. Minnesota Statutes 1976, Section 604.05, is amended to read:

604.05 **GOOD SAMARITAN LAW.** ~~No~~ A person, who in good faith and in the exercise of reasonable care renders emergency care at the scene of an emergency or during transit to a location where professional medical care can be rendered, is not liable for any civil damages as a result of acts or omissions by ~~such~~ that person in rendering the emergency care.

For the purposes of this section, the scene of an emergency shall be those areas not within the confines of a hospital or other institution which has hospital facilities, or an office of a person licensed to practice one or more of the healing arts pursuant to chapters 147, 148, 150A, or 153.

Approved March 23, 1978.

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