

the Camp Ripley military field training center and not needed for military training purposes. The proceeds of any sales shall be deposited in the general fund.

The adjutant general may use funds that are directly appropriated for the acquisition of land, the payment of expenses of forest management on land forming the Camp Ripley military reservation, and the provision of an enlisted person's service center. If amounts that are directly appropriated for these purposes in either year of a biennium are insufficient, the appropriation for the other year of the biennium is available.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective July 1, 1991.

Presented to the governor May 17, 1991

Signed by the governor May 21, 1991, 1:36 p.m.

---

**CHAPTER 140—H.F.No. 1201**

*An act relating to local government; permitting police and fire civil service commissions to expand certified lists in certain circumstances; amending Minnesota Statutes 1990, sections 419.06; and 420.07.*

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

Section 1. Minnesota Statutes 1990, section 419.06, is amended to read:

**419.06 RULES FOR POLICE DEPARTMENT.**

The commission shall, ~~immediately after its appointment and from time to time thereafter, make, amend, alter, and change~~ adopt rules to promote efficiency in the police department service and to carry out the purposes of this chapter. The rules ~~shall~~ must provide among other things for:

- (1) The classification of all offices and employments in the police department;
- (2) Public competitive examinations to test the relative fitness of applicants;
- (3) Public advertisements of all examinations at least ten days in advance in a newspaper of general circulation in the city and posting the advertisement for ten days in the city hall and at each station house;
- (4) The creation and maintenance of lists of eligible candidates after successful examination in order of their standing in the examination and without reference to the time of examination, which ~~shall~~ must be ~~embraced~~ included in an eligible register;

New language is indicated by underline, deletions by ~~strikeout~~.

(5) The commission may by rule provide for striking any name from the eligible register after it has been on the register for two years ~~thereon~~;

(6) The rejection of candidates or eligibles who, after the entry of their names, ~~shall~~ fail to comply with the reasonable rules and requirements of the commission in respect to age, residence, physical condition, or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any willful misrepresentation, deception, or fraud in connection with their applications for employment;

(7) The certification of the three names standing highest on the appropriate list to fill any vacancy;

(8) Temporary employment without examination, with the consent in each case of the commission, in cases of emergency, but no such temporary employment ~~shall~~ may continue more than 30 days nor ~~shall~~ may successive temporary employments be permitted for the same position; provided, that until 60 days after cessation of hostilities in ~~the present a~~ war as declared by proper federal authority, whenever there are no names upon the eligible register, temporary appointment may be made for employment to continue until the position is filled by a candidate from the eligible register under the provisions of the rules, provided that persons on the eligible list at the time of induction into the armed forces of the United States ~~shall~~ must retain their position on the eligible register;

(9) Promotion based on competitive examination and upon records of efficiency, character, conduct and seniority;

(10) Suspension with or without pay for not longer than 60 days and for leave of absence, with or without pay; and

(11) ~~Such~~ Other rules not inconsistent with the provisions of this chapter as may, from time to time, be found necessary to secure the purposes of this chapter.

When a disparity exists between the make-up of the police department and its approved affirmative action goals, the commission may certify up to two eligible candidates from each protected group for which a disparity exists. This certification is in addition to the three candidates certified under clause (7). This expanded certification may not include a member of a protected group if a member of that group is one of the three candidates certified under clause (7). Certifications under this paragraph must be made from the list of eligible candidates who have successfully completed the examination, in order of their standing in the examination. These expanded certification procedures apply only to positions to be filled from the public, and do not apply to promotional appointments.

Copies of such rules ~~shall~~ must be kept posted in a conspicuous place at each police station house and no rules of general application with reference to

New language is indicated by underline, deletions by ~~strikeout~~.

employment, promotion, discharge, or suspension ~~shall be~~ are effective until ~~so~~ posted.

Sec. 2. Minnesota Statutes 1990, section 420.07, is amended to read:

**420.07 RULES FOR FIRE DEPARTMENT SERVICE.**

The commission shall; ~~immediately after its appointment and from time to time thereafter make, amend, alter, and change~~ adopt rules to promote efficiency in the fire department service and to carry out the purposes of this chapter. The rules ~~shall~~ must provide among other things for:

- (1) The classification of all offices and employments in the fire department;
- (2) Public competitive examinations to test the relative fitness of applicants;
- (3) Public advertisement of all examinations at least ten days in advance in a newspaper of general circulation in said city and posting the advertisement for ten days in the city hall and at each station house;
- (4) The creation and maintenance of lists of eligible candidates after successful examination in order of their standing in the examination and without reference to the time of examination, which lists ~~shall~~ must be ~~embraced~~ included in an eligible register;
- (5) The commission may by rule provide for striking any name from the eligible register after it has been on the register for two years ~~thereon~~;
- (6) The rejection of candidates or eligibles who, after the entry of their names ~~shall~~ fail to comply with the reasonable rules and requirements of the commission in respect to age, resident, physical condition or otherwise, or who have been guilty of criminal, infamous, or disgraceful conduct, or of any willful misrepresentation, deception or fraud in connection with the examination or in connection with their applications for employment;
- (7) The certification of the three names standing highest on the appropriate list to fill any vacancy;
- (8) Temporary employment without examination, with the consent in each case of the commission, in cases of emergency, but no such temporary employment ~~shall~~ must continue more than 30 days nor ~~shall~~ must successive temporary employments be permitted for the same position;
- (9) Promotion based on competitive examination and upon records of efficiency, character, conduct, and seniority;
- (10) Suspension with or without pay, for not longer than 60 days and for leave of absence, with or without pay; and
- (11) ~~Such~~ Other rules not inconsistent with the provisions of this chapter as may from time to time be found necessary to secure the purposes of this chapter.

New language is indicated by underline, deletions by ~~strikeout~~.

When a disparity exists between the make-up of the fire department and its approved affirmative action goals, the commission may certify up to two eligible candidates from each protected group for which a disparity exists. This certification is in addition to the three candidates certified under clause (7). This expanded certification may not include a member of a protected group if a member of that group is one of the three candidates certified under clause (7). Certifications under this paragraph must be made from the list of eligible candidates who have successfully completed the examination, in order of their standing in the examination. These expanded certification procedures apply only to positions to be filled from the public, and do not apply to promotional appointments.

Copies of such rules ~~shall~~ must be kept posted in a conspicuous place at each fire station house, and no rules of general application with reference to employment, promotion, discharge, or suspension ~~shall be~~ are effective until ~~so~~ posted.

### Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment.

Presented to the governor May 20, 1991

Signed by the governor May 23, 1991, 6:49 p.m.

---

## CHAPTER 141—H.F.No. 414

*An act relating to peace officers; requiring reports on the discharge of firearms by peace officers to be sent to the board of peace officer standards and training; requiring law enforcement agencies to adopt written policies governing the use of deadly force; requiring initial and continuing peace officer training on deadly force and the use of firearms; amending Minnesota Statutes 1990, section 626.553, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 626.*

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

Section 1. Minnesota Statutes 1990, section 626.553, subdivision 2, is amended to read:

Subd. 2. Whenever a peace officer discharges a firearm in the course of duty, other than for training purposes or the killing of an animal that is sick, injured, or dangerous, notification shall be filed within 30 days of the incident by the officer's department head with the commissioner of public safety. The commissioner of public safety shall forward a copy of the filing to the board of peace officer standards and training. The notification shall contain information concerning the reason for and circumstances surrounding discharge of the fire-

New language is indicated by underline, deletions by ~~strikeout~~.