

**273.121 TAXATION; PROPERTY TAX; VALUATION OF REAL PROPERTY, NOTICE.** ~~If the~~ Any county assessor ; ~~or village or city assessor~~ having the powers of a county assessor, ~~values any~~ valuing taxable real property ~~at an amount greater than the amount of its valuation for the previous year~~; he shall in each assessment year notify the person to be assessed if the person's address is known to the assessor, otherwise the occupant of the property. The notice shall be in writing and shall be sent by ordinary mail at least ten days before the meeting of the local board of review or equalization. It shall contain the amount of the ~~increase~~ valuation in terms of market value, the assessor's office address, and the dates, places, and times set for the meetings of the local board of review or equalization and the county board of equalization. If such valuation is limited by section 273.11, the notice shall also contain the valuation as limited therein. If the assessment roll is not complete, the notice shall be sent by ordinary mail at least ten days prior to the date on which the board of review has adjourned. The assessor shall attach to the assessment roll a statement that the notices required by this section have been mailed. Any such assessor who is not provided sufficient funds from his governing body to provide such notices, may make application to the commissioner of ~~taxation~~ revenue to finance such notices. The commissioner of ~~taxation~~ revenue shall conduct an investigation and if he is satisfied that ~~such increases should be made~~ and the assessor does not have the necessary funds, issue his certification to the state auditor of the amount necessary to provide such notices. The state auditor shall issue a warrant for such amount and shall deduct such amount from any state payment to such county or municipality. The necessary funds to make such payments are hereby appropriated. Failure to receive the notice shall in no way affect the validity of the assessment, the resulting tax, the procedures of any board of review or equalization, or the enforcement of delinquent taxes by statutory means.

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

Approved April 5, 1974.

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#### CHAPTER 364—H.F.No.2728

*An act relating to state government; revising the civil service law; amending Minnesota Statutes 1971, Sections 15A.071; 43.05, Subdivision 2, as amended; 43.09, Subdivision 2, as amended; 43.12, Subdivisions 1 and 3, as amended; 43.121, Subdivisions 1, 2, as amended, and 3; 43.126, Subdivisions 2, 3, and 4; 43.14, Subdivision 2; 43.19, Subdivision 2, as amended; 43.20; 43.222; 43.25; 43.26, Subdivisions 1 and 2; 43.30; 43.31; and Laws 1973, Chapter 720, Section 78; repealing Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; and 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23.*

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

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Section 1. Minnesota Statutes 1971, Section 15A.071, is amended to read:

**15A.071 CIVIL SERVICE; COMMISSIONER OF PERSONNEL TO REVIEW AND ESTABLISH TITLES.** The ~~civil service board~~ commissioner may review, establish or change titles for all positions in the unclassified service in the executive branch of state government except for those established by law or the constitution. Titles shall meaningfully describe the positions and be consistent throughout the state service.

Sec. 2. Minnesota Statutes 1971, Section 43.05, Subdivision 2, as amended by Laws 1973, Chapter 507, Section 17, is amended to read:

Subd. 2. **SPECIFIED DUTIES.** It shall be the duty of the commissioner and he shall have power:

(1) To attend all meetings of the board;

(2) To prepare personnel rules for the purpose of carrying out the provisions of this chapter; these rules shall provide, among other things, for current records of efficiency, and standards of performance, for all officers and employees subject to the provisions of this chapter; the manner of completing appointments and promotions; rejection of eligible candidates; examinations; retention of examination records under the provisions of section 138.163; creation of eligible lists, with successful candidates ranked according to their ratings in the examinations; leaves of absence with and without pay; transfers, reinstatements, layoffs, vacations, and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment. If a rule is made concerning sick leave for illness in the immediate family of an employee, the term "immediate family" shall be limited to the spouse, minor children, or parent where the parent has no other person to provide the necessary nursing care, living in the household of the employee;

(3) To appoint temporary and permanent employees and officers as are necessary to carry out the provisions of this chapter; these employees and officers shall be chosen in accordance with and shall be subject to, the provisions of this chapter;

(4) To keep in the office of the department of personnel an official roster of the state civil service showing the employment history of each and every person who has been appointed to, employed, promoted, reduced, or reinstated in any position in the service; which roster shall show, in connection with each name, the date of appointment, employment, promotion, reduction, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, sick or annual leaves, and separations from the service; and the commissioner shall have access to all public records and papers, the examination of which will aid in the discharge of his duty in

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connection with the roster;

(5) To prepare, in accordance with the provisions of this chapter and the rules adopted hereunder, examinations, eligible lists, and ratings of candidates for appointment;

(6) To make certifications for appointment within the classified service, in accordance with the provisions of this chapter;

(7) To make investigations concerning all matters touching the enforcement and effect of the provisions of this chapter and the personnel rules prescribed hereunder;

(8) To discharge such duties as are imposed upon him by this chapter;

(9) To establish, publish and continually review logical career paths in the classified civil service; ~~and~~

(10) To consider all requests for other than state appropriated funds from any state department or agency for personnel purposes of which shall be submitted to ~~the commissioner~~ him for comment before any such request is made of a federal, local, or private agency ; and

(11) To prepare rules regulating the temporary placement of positions in the unclassified civil service .

Sec. 3. Minnesota Statutes 1971, Section 43.09, Subdivision 2, as amended by Laws 1973, Chapter 507, Section 18, is amended to read:

Subd. 2. **UNCLASSIFIED SERVICE.** The unclassified service comprises positions held by state officers or employees who are:

(1) Chosen by election or appointed to fill an elective office;

(2) Heads of department required by law to be appointed by the governor or other elective officers, ~~except the department of public service,~~ and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of section 246.02 are hereby continued in effect; provided, this clause shall not apply to heads of divisions now existing in the department of labor and industry, nor to the director of the division of vocational rehabilitation in the department of education;

(3) Except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk, or employee to the secretary of state, state auditor, and state treasurer;

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(4) Seasonal help employed by the commissioner of public safety to assist in the issuance of motor vehicle licenses;

(5) Employees in the ~~office-offices~~ of the governor and of the lieutenant governor, and one confidential employee for the governor in the office of the adjutant general;

(6) Officers and employees of the senate and house of representatives of the legislature including temporary or permanent employees of legislative committees or commissions. Employees of the legislative audit commission, except for the legislative auditor, his deputy, and his confidential secretary, however, shall be employees in the classified civil service of the state;

(7) Teachers, research assistants, student employees on less than half-time pay basis or eligible under terms of the federal economic opportunity act work study program, presidents, deans, and administrative officers in the state colleges; but this clause shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of these institutions;

(8) Officers and enlisted men in the national guard;

(9) ~~Deputy attorneys general, assistant attorneys general-Attorneys~~, legal assistants, examiners, and three confidential employees; ~~and special counsel to state departments~~ appointed by the attorney general or employed with his authorization;

(10) All courts and all employees thereof, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the department of labor and industry;

(11) Patient and inmate help in state institutions;

(12) Members of the state highway patrol; provided that selection and appointment of highway patrol officers shall be made in accordance with applicable laws governing the classified state civil service;

(13) The deputy commissioner of agriculture;

(14) One employee of the state treasurer, for the purpose of receiving and safekeeping assets deposited and maintained with the state treasurer, pursuant to Laws 1943, Chapter 591, and whose salary or compensation is to be reimbursed to the state under said act;

(15) Seasonal help employed by the department of ~~taxation-revenue~~ revenue.

Sec. 4. Minnesota Statutes 1971, Section 43.12, Subdivision 1, is amended to read:

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**43.12 COMMISSIONER TO CLASSIFY EMPLOYEES.** Subdivision 1. **CLASSIFICATION SPECIFICATIONS; DUTIES OF COMMISSIONER.** The ~~director of the state civil service~~ commissioner of personnel shall ; as soon as practicable, and after consultation with appointing authorities and principal supervisory officials, classify all offices, employments, and ~~ensure that all~~ positions in the classified service ~~according to~~ are assigned to job classifications on the basis of the duties and responsibilities of each position in accordance with the appropriate line of promotion. ~~This duty to classify shall extend to all offices, employments, and positions held by persons who may become members of the classified service under this chapter, as provided by section 43.10, as well as to those offices, employments, and positions held by other persons.~~ Titles shall be established for each class of employment for use in examining and certifying names of persons for appointment under this chapter, and a description of the duties and responsibilities exercised by the persons appointed to each of them shall be drawn up, minimum qualifications required for satisfactory performance of the duties of each ~~grade and~~ class formulated; and, so far as practicable, the lines of promotion from ~~grade to grade or class to class~~ shall be indicated. The titles ~~in this classification of classifications~~ , as defined by the specifications of duties and qualifications, shall be used for ~~(1) original appointments; (2) promotions; (3) payrolls; and (4) all other official records affecting or relating to the status of personnel.~~ The classifications, when approved by the civil service board after public hearing, shall take effect immediately, be sent to the commissioner, and used by him in the preparation of the next following and subsequent state budgets. The director of the civil service may make changes in the classification when he deems it necessary for the efficiency of the service; and these changes, when approved by the civil service board after public hearing, shall take effect immediately, be sent to the commissioner of administration, and used by him in the preparation of the next following and subsequent state budgets.

Sec. 5. Minnesota Statutes 1971, Section 43.12, Subdivision 3, as amended by Laws 1973, Chapter 653, Section 17, is amended to read:

Subd. 3. **ALLOCATIONS.** (1) The ~~director~~ commissioner shall allocate each position in the classified civil service to one of the classes within the classification plan, ~~subject to review of the board if an application is made in writing to the board upon one of the grounds set forth in clause (7) by the appointing authority immediately affected at any time within 30 days following notice to him of that allocation; or within 30 days from the date of notice of the final action of the director in case of an application for reconsideration; as hereinafter provided for; and thereafter all salary rates, schedules, or compensation policies shall apply uniformly to all positions within each class, in accordance with rules and regulations established by the board~~ commissioner , except those positions for which special provision is made in clause (6) below. When a position which has not been allocated to one of the classes within the classification plan is established, the appointing authority shall notify the ~~director~~ commissioner , who shall allo-

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cate ~~that the~~ new position to its appropriate class ; ~~subject to the same right of review by the board as heretofore provided in this clause .~~

(2) After the ~~director~~ commissioner makes an allocation under clause (1), he shall notify the appointing authority affected, in writing, of that allocation. The allocation shall become immediately effective, but the appointing authority may within ten days file with the ~~director~~ commissioner an application for reconsideration, together with any written evidence by way of affidavits, statements or exhibits which that appointing authority may desire considered by him. The ~~director~~ commissioner shall act upon that application within ten days after receiving it, and notify the appointing authority of his final action. ~~In case of the filing of such application for reconsideration, the time for asking a review by the board shall commence to run from the date of notice to the appointing authority of the director's final action.~~

(3) Whenever, because of changes in the organizational structure of an agency, in the duties of a position, or for some other reason, a position appears to be improperly allocated, the ~~director~~ commissioner shall, upon his own initiative, or upon the written request of a permanent employee or an appointing authority, investigate the duties of the affected position. Following that investigation he may reallocate it to an appropriate class. If the ~~director~~ commissioner makes a reallocation or denies an application for reallocation, under this clause, he shall notify the appointing authority and the employee affected of his action. A permanent employee or appointing authority affected by any such action shall have the same right to make an application for reconsideration as is granted an appointing authority in the case of an original allocation by clause (2), and the procedure set out in clause (2) shall apply to such application. Except as provided in clause (6) below, any reallocation granted by the ~~director~~ commissioner shall become effective upon the expiration of the time fixed for making an application for reconsideration, if none is made, or if one is made, at the date of notice by the ~~director~~ commissioner of this final action. ~~A permanent employee or appointing authority shall have the same right of review by the board of a reallocation which changes the class of a position as is granted an appointing authority in the case of an original allocation. Application for such a review must be made within 30 days from the date of notice by the director of his original action, or, if a reconsideration has been asked, within 30 days from the date of the director's final action upon that application.~~

(4) In case of any allocation under clause (1), or any reallocation under clause (3), no examination of witnesses nor any trial or hearing shall be required, but the ~~director~~ commissioner may act upon such matters as are submitted to him in writing by the employee whose position will be affected by a reallocation or by the appointing authority who will be affected by an allocation or a reallocation, and reports and records of investigators of the department, and may take official notice of the records of the department and of allocations of other comparable positions. The matters of which he takes official notice shall be set

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out by him in a memorandum to be filed with his order or report of investigation and made a part of his record. In all cases of applications for reallocation, the burden of proof shall be upon the person requesting the reallocation.

(5) Except as provided in clause (6) below, the incumbent of a position which has been reallocated shall continue in the position only if he is eligible for and actually is appointed to the position of the new class in accordance with the rules of the ~~board-commissioner~~ governing reallocation of positions, promotion, transfer, and demotion. In any case in which the incumbent is ineligible to continue in the position and he is not transferred, promoted or demoted, the layoff provisions of this chapter and the rules of the ~~board-commissioner~~ shall apply. Personnel changes required by the reallocation of positions shall be completed within a ~~period of 60 days~~ reasonable period of time, as prescribed by the commissioner, following the ~~date of~~ reallocation notice to an appointing authority. Any employee with permanent or probationary status whose position is reallocated shall be considered eligible to compete in any ~~promotional~~ examination held to fill the reallocated position, as provided in the rules of the ~~board-commissioner~~ .

(6) When a position is reallocated by the ~~director commissioner~~ to a class in a lower salary range, or when an employee is demoted to a position in a lower salary range, the ~~director and the commissioner of administration commissioner~~ may give consideration to the employee's long or outstanding service, exceptional or technical qualifications, age, health, or substantial changes in work assignment or operational changes in state government which eliminate positions held by classified employees with permanent status. When, as a result of such consideration, the ~~director and the commissioner determine-determines~~ that the best interests of the state will be served by such action, the position shall be reallocated but the employee shall continue at the same rate of pay. Thereafter, as long as he remains in the same position, such employee shall not be eligible to receive any salary increases, except those economic adjustment increases based on the consumer's price index authorized by law, until such time as his salary once again may be within the range of the class to which his position has been reallocated.

(7) A review by the board as provided for in this subdivision may be had when the employee or appointing authority affected files an application for review in writing on the ground:

(a) That the action of the director was not in accordance with the civil service act;

(b) That the action of the director was unwarranted by the evidence before him, or was procured by fraud, coercion or other improper conduct of any party in interest.

The board after receiving any application for review shall order Changes or additions indicated by underline deletions by ~~strikeout~~

the director to submit to it the record upon which he acted and thereafter, upon that record, may sustain, reverse or modify the action of the director or, in its discretion, may order that further evidence be taken by him to be submitted to the board and considered by it upon its review.

Sec. 6. Minnesota Statutes 1971, Section 43.121, Subdivision 1, is amended to read:

43.121 SALARY RANGE ASSIGNMENT. Subdivision 1. The director ~~commissioner~~ shall ; ~~as soon as practicable after the final enactment of Laws 1955, Chapter 659, assign~~ ensure that each class of employment in the classified service ; ~~established pursuant to Minnesota Statutes, Section 43.12, Subdivision 1, is assigned~~ to one of the salary ~~ranges-schedules~~ established by section 43.12, ~~subdivision-subdivisions 2 and 3, at a salary level consistent with the provisions of section 43.111 . These assignments shall be referred to the board for its consideration, after public hearing, as provided in section 43.12, subdivision 1.~~ is assigned to one of the salary ranges-schedules established by section 43.12, ~~subdivision-subdivisions 2 and 3, at a salary level consistent with the provisions of section 43.111 . These assignments shall be referred to the board for its consideration, after public hearing, as provided in section 43.12, subdivision 1.~~ The salary of any employee which is in excess of the maximum of the range to which his class is assigned shall not be changed by reason of this schedule, but such employee shall not be eligible for any salary increases until his salary is within his new range. After the board has acted upon the assignments, the director shall submit them to the commissioner of administration, who shall determine whether sufficient funds are available. The commissioner of administration may approve or reject such assignments.

Sec. 7. Minnesota Statutes 1971, Section 43.121, Subdivision 2, as amended by Laws 1973, Chapter 653, Section 18, is amended to read:

Subd. 2. When an additional class is added to the classification plan by the commissioner , it shall be assigned to one of the salary schedules set forth in section 43.12, ~~subdivision-subdivisions 2 or 3 .~~ Such assignment to a salary schedule when approved by the ~~civil service board after public hearing-commissioner~~ shall be submitted to the commissioner of ~~administration-finance~~ who shall determine whether funds are available for such purposes. The commissioner of ~~administration-finance~~ may approve or reject the establishment of such schedules-new classes on the basis of availability or non-availability of funds . ~~These schedules-classes, and the approved compensation for them,~~ shall become effective when approved by the commissioner of finance and shall be used by him in connection with all payrolls and accounting records and with all budget estimates for all departments or agencies of the state government. Upon his approval, the commissioner of finance shall file such new schedules-classes, and the approved compensation for them, in the office of the secretary of state.

Sec. 8. Minnesota Statutes 1971, Section 43.121, Subdivision 3, is amended to read:

Subd. 3. Notwithstanding the provisions of this section, the ~~direc-~~ Changes or additions indicated by underline deletions by strikeout



~~for commissioner~~ may assign the classes of employment which require teaching in an established school program in the department of education and institutions of the state under the jurisdiction of the department of public welfare and the department of corrections to salary ranges, which he is hereby authorized to establish. Whenever the ~~director~~ commissioner assigns classes of employment which require teaching in an established school program to any salary range which he is authorized to establish by this subdivision, he shall prepare schedules showing the salary ranges for each class, ~~grade~~, or group of positions in the class of positions assigned by him and he shall also prepare schedules showing entrance salaries and step increases based upon educational attainments and length of satisfactory service. ~~All these schedules shall be subject to approval by the board.~~ The salary ranges shall include a minimum rate and not more than nine additional step increases. In assigning ranges of salaries for positions in this category the ~~board~~ commissioner shall give consideration to the salary schedules for teachers which are in effect in other units of government of the state.

The basic salary for institution educational administrators and supervisors shall be based upon the employee's qualifications and the appropriate academic level of the special teacher salary schedule. However, the ~~director~~ commissioner is authorized ; ~~subject to the approval of the board;~~ to establish a percentage differential to compensate for administrative and supervisory responsibilities. Annual length of satisfactory service salary adjustments shall be awarded beginning with the payroll period nearest the anniversary date of the special teacher's, institution educational supervisor's or institution educational administrator's original or promotional appointment to his present class, unless he is notified in writing by the appointing authority that his work has been of a less than satisfactory level.

Sec. 9. Minnesota Statutes 1971, Section 43.126, Subdivision 2, is amended to read:

Subd. 2. When it becomes apparent that the performance of certain functions of the state government is of such public concern as to demand employment of exceptionally qualified doctors of medicine and where it can be clearly demonstrated that such employees cannot be employed at the rate provided for in Minnesota Statutes, Section 43.12 and Sections 43.121 to 43.123, an appointing authority may propose that positions in the classified service be assigned to one of the ranges listed in subdivision 1. Such proposals shall be made to a ~~committee composed of the governor, the commissioner of administration and the director of civil service.~~ They ~~personnel who~~ shall take into consideration the standards of eligibility established by the appropriate national medical specialty board. The ~~committee~~ commissioner shall ~~instruct the director of civil service to~~ conduct local and nationwide surveys of compensation paid for like positions : ~~The committee,~~ shall give consideration to this data, and may assign to one of the ranges listed in subdivision 1, on an individual basis, such positions as ~~they~~

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~~determine he determines~~ to come under the provisions of this subdivision. ~~Such assignments shall be filed with the director of civil service, and shall become effective as soon as practicable, but no later than one month after such filing.~~ All such assignments and future reassignments made under the provisions of this section shall be reported to each branch of the legislature if it is in session, or if it is not in session, at the opening of the next legislative session. Positions so assigned, and positions and employees in such classes shall be subject to the provisions of all applicable sections of Minnesota Statutes, Chapter 43, except section 43.12, subdivision 2, sections 43.121 to 43.123. Employees in such classes shall not be eligible for economic adjustment increases nor for increases above the maximum of their ranges as established by subdivision 1. The procedures outlined in this section concerning the assignment of positions into the ranges provided for in subdivision 1 shall in no way supersede, amend or stand in place of the provisions of Minnesota Statutes, Section 43.13.

Sec. 10. Minnesota Statutes 1971, Section 43.126, Subdivision 3, is amended to read:

Subd. 3. The ~~committee-commissioner~~ may subsequently reassign a position to a different range listed in subdivision 1, if in ~~its~~ his judgment such reassignment is in the public interest. Assignments or reassignments to ranges listed in subdivision 1 shall continue until such time as the ~~committee-commissioner~~ determines that the reasons for such special assignments no longer exist, at which time the ~~committee-commissioner~~ shall remove such positions from such assignment. Subsequent to such action ~~they~~ he shall ~~instruct the director of civil service to assign such positions to one of the ranges-schedules~~ listed in Minnesota Statutes, Section 43.12, Subdivision 2, as provided in Minnesota Statutes, Section 43.121, Subdivision 2.

Sec. 11. Minnesota Statutes 1971, Section 43.126, Subdivision 4, is amended to read:

Subd. 4. The salary rate to be paid to an employee, within the range assigned by the ~~committee-commissioner~~, shall be determined by the appointing authority. The beginning salary rate and any subsequent changes shall be reported to the ~~committee-commissioner~~ by the appointing authority.

Sec. 12. Minnesota Statutes 1971, Section 43.14, Subdivision 2, is amended to read:

Subd. 2. **APPEAL FROM REFUSAL.** When the director commissioner refuses to examine an applicant, or after an examination refuses to certify an eligible, as provided in this section, then the ~~director-commissioner~~, upon request of the person so rejected, shall furnish to him a statement of the reasons for such refusal to examine or refusal to certify, as the case may be. In the case of any such refusal, an appeal may be taken to the board in accordance with the rules to be adopted

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~~in the manner hereinbefore provided:~~

Sec. 13. Minnesota Statutes 1971, Section 43.19, Subdivision 2, as amended by Laws 1973, Chapter 507, Section 26, is amended to read:

Subd. 2. **INCREASE, WHEN A PROMOTION.** For the purpose of this section, ~~an increase in the salary or other compensation of any person holding an office or position subject to the provisions of this chapter, beyond the limit fixed for the grade in which such office or position is classified,~~ the commissioner shall be deemed determine, by personnel rule, what shall constitute a promotion.

Sec. 14. Minnesota Statutes 1971, Section 43.20, is amended to read:

**43.20 NON-COMPETITIVE POSITIONS.** Subdivision 1. Positions in the classified service may be filled without competition only as provided in this section.

Subd. 2. When there are urgent reasons for filling a vacancy in any position in the classified service and the ~~director~~ commissioner is unable to certify from any appropriate eligible list for the vacancy, the ~~director~~ commissioner may issue a provisional permit or certify a suitable person to fill such vacancy provisionally only until a selection and appointment can be made after competitive examination; but no person shall receive more than one provisional appointment nor serve more than six months in any 12-month period as a provisional appointee, except, where in individual cases reviewed by the civil service board, ~~that board~~ the commissioner grants an exception for the good of the service.

Subd. 3. In case of an emergency, an appointment may be made without regard to the provisions of this chapter, but in no case shall it continue longer than ten working days, and in no case shall successive emergency appointments be made; this provision shall apply to both persons and positions; and no person shall receive more than three emergency appointments in any one or different positions within one year.

Subd. 4. In case of a vacancy in a position where peculiar and exceptional qualifications of a scientific, professional, or expert character are required, and upon satisfactory evidence that for specified reasons competition in this special case is impracticable and that the position can best be filled by the selection of some designated person of high and recognized attainments in these qualities, ~~the board, upon recommendation of the director,~~ commissioner may suspend the requirements of competition in this case, but no suspension shall be general in its application to the position, and all the cases of suspension shall be reported in the annual report of the department, with the reasons for the same.

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Subd. 5. Where the services to be rendered by an appointee are for a temporary period not to exceed six months, the ~~director-commissioner~~ shall certify from an eligible list for the temporary service any person he deems qualified; the acceptance or refusal by an eligible of a temporary appointment shall not affect his standing on the register for permanent employment, nor shall the period of temporary service be counted as a part of the probationary period in case of subsequent appointment to a permanent position. No person shall receive more than one temporary appointment within one year. No temporary appointment shall exceed six months except to fill a vacancy created by an approved leave of absence not to exceed one year or where the ~~civil service board-commissioner~~ grants an extension of temporary appointment to the maximum of one year in the best interests of the state.

Sec. 15. Minnesota Statutes 1971, Section 43.222, is amended to read:

**43.222 TRANSFERS; SICK LEAVE AND ANNUAL LEAVE BENEFITS; UNCLASSIFIED EMPLOYEES.** An employee in the unclassified service of the state, who is subsequently employed in the classified service within a period of one year following the last day of service in the unclassified service, shall have his accumulated sick leave posted to his credit in the records of the employing department. The manner in which the sick leave is accumulated shall be in accordance with the ~~civil service-personnel~~ commissioner's rules as they apply to the classified service. ~~This section is in effect as of July 1, 1961.~~

An employee in the unclassified service of the state, who is subsequently employed in the classified service without any interruption in state service, shall have his accumulated annual leave posted to his credit in the records of the employing department. The manner in which the annual leave is accumulated shall be in accordance with the personnel commissioner's rules as they apply to the classified service.

Sec. 16. Minnesota Statutes 1971, Section 43.25, is amended to read:

**43.25 COMMISSIONER NOTIFIED OF ANY DISCHARGE OR EMPLOYMENT.** Each appointing officer shall report to the ~~director-commissioner~~ forthwith, in writing, upon any appointment or employment in the service, the name of the appointee, or employee, the title and character of his office or employment, the date of commencement of service by virtue thereof, and the salary or compensation thereof, and shall report, from time to time, upon the date of the official action in, or knowledge of, any separation of a person from the service, or any promotion, reduction, suspension, transfer, reinstatement, or other change therein, the efficiency of his subordinates and employees, and other information, in such manner as may be prescribed by the ~~director and the rules and regulations adopted by the board-commissioner~~.

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Sec. 17. Minnesota Statutes 1971, Section 43.26, Subdivision 1, is amended to read:

**43.26 PAYROLLS, CERTIFICATION.** Subdivision 1. Neither the ~~state auditor-commissioner of finance~~ nor other fiscal officer of this state shall draw, sign, or issue, or authorize the drawing, signing, or issuing of any warrant on the treasurer or other disbursing officer of the state, nor shall the treasurer or other disbursing officer of the state pay any salary or compensation to any person in the classified or unclassified service of the state, unless ~~an estimate pay-roll or account-a~~ payroll register for such salary or compensation containing the name of every person to be paid shall bear the certificate of the ~~director of the civil service-commissioner of personnel~~ that the persons named in such ~~estimate, pay-roll, or account-payroll~~ register have been appointed, employed, reinstated, or promoted and are performing service as required by law and the rules established ~~hereunder-thereunder~~ and that the salary or compensation is within the salary or wage schedule fixed pursuant to law. This provision shall not apply to positions defined in section 43.09, subdivision 2, clauses ~~(1), (4), (6), (7), (8), (9), (10), and (11); (13); (14); and (16);~~ nor to teachers, research assistants, student employees on less than half-time pay basis, presidents, deans, and administrative officers in the teachers colleges. Persons to whom this subdivision does not apply may be paid on the state's payroll system and the appointing authority or fiscal officer submitting their payroll register shall be responsible for the accuracy and legality of the payments.

Sec. 18. Minnesota Statutes 1971, Section 43.26, Subdivision 2, is amended to read:

**Subd. 2. SALARIES PAID CONTRARY TO PROVISIONS RECOVERED FROM APPOINTING OFFICER.** Any sum wilfully paid contrary to the provisions of this section may be recovered from any officer making the appointments in contravention of the provisions of law or of the rules made in pursuance of law, or from any officer signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of same, or from the sureties on the official bond of any officer, in an action in the district court of any county within the state, maintained by the ~~director commissioner of the civil service or any member of the civil service board-personnel~~. All moneys recovered in any action brought under this section when collected shall be paid into the state treasury.

Sec. 19. Minnesota Statutes 1971, Section 43.30, is amended to read:

**43.30 VETERANS PREFERENCE.** Notwithstanding sections 197.45 to 197.48, the provisions of this section shall govern the granting of veterans' preference for the state civil service.

In all examinations under this chapter a veterans' preference shall

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be given to every person who is a veteran as defined in Minnesota Statutes 1965, Section 197.45, Subdivision 1; who are citizens of the United States and have been residents of the state of Minnesota five years immediately preceding their application or who enlisted from the state of Minnesota; and to persons who served in the active military or naval service of any government allied with the United States in World War I or World War II; and have been honorably discharged therefrom; and who are citizens of the United States and were such citizens at the time of entrance into such active service; and have been residents of the state of Minnesota five years immediately preceding their application or who enlisted from the state of Minnesota ~~has been honorably discharged or separated from any branch of the armed forces of the United States (1) after having served on active duty for other than training purposes or (2) by reason of disability incurred while serving on active duty, and who is a citizen of the United States, and persons who served in the active military service of any government allied with the United States in World War I or World War II, and have been honorably discharged therefrom, and who are citizens of the United States and were citizens at the time of entrance into active service~~. And the 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 a credit of ten points, and in open competitive examination only if such augmented rating gives to such disabled veteran a passing grade and such disabled veteran is able to perform the duties of the position sought with reasonable efficiency, his name shall be placed at the head of the eligible list for such position.

There shall be added to the examination rating of all other veterans a credit of five points, and if such augmented rating gives to such veteran a passing grade and if such veteran is able to perform the duties of the position 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 non-veteran when their ratings are the same.

Such preference is hereby extended to the widows of deceased veterans and to the spouse of a disabled veteran, who because of such disability is unable to qualify.

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

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A disabled veteran is one who is rated or certified as disabled 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.

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

Sec. 20. Minnesota Statutes 1971, Section 43.31, is amended to read:

**43.31 SERVICES AVAILABLE TO POLITICAL SUBDIVISIONS; APPROPRIATION.** The services and facilities of the state ~~civil service~~ personnel department and its staff shall be available upon request, subject to rules prescribed therefor by the ~~board-commissioner~~, to political subdivisions of the state. In making such service and facilities available, it shall be understood that requirements for the enforcement and administration of the provisions of this chapter shall be given precedence and that the political subdivisions shall reimburse the state for the reasonable cost of such services and facilities.

The ~~board-commissioner~~ may enter into arrangements with personnel agencies in other jurisdictions for the purpose of exchanging services and effecting transfers of employees. The ~~board-commissioner~~ may also join or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration. There is hereby appropriated to the state ~~civil service-personnel~~ department from such moneys as are credited to their account an amount sufficient to pay for the purposes of this section.

Sec. 21. Laws 1973, Chapter 720, Section 78, is amended to read:

**[15A.211] TRAVEL EXPENSES, BOARDS AND COMMISSIONS.** Notwithstanding the provisions of any other law, the members and staff of all state boards, councils, and commissions in the executive branch, established by state law or otherwise, shall only be reimbursed for travel expenses both in-state and out-of-state in accordance with the rules and regulations promulgated by the commissioner of ~~administration-personnel~~ governing the travel of state officers and employees.

Sec. 22. Notwithstanding any other law to the contrary, until such time as personnel rules concerning travel and relocation expenses are promulgated by the commissioner of personnel pursuant to Minnesota Statutes, 1973 Supplement, Section 43.327, the commissioner of personnel shall approve reasonable, proper and actual relocation expense claims submitted to him for approval by the agencies of the state, directing the commissioner of finance to provide for payment therefor to

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the affected employee. Nothing shall prevent the affected employee of the state from submitting a proper claim for reimbursement for relocation expenses after the effective date of Minnesota Statutes, 1973 Supplement, Section 43.327. Relocation payments so made shall be reviewed by the commissioner of finance after subsequent adoption of said rules by the commissioner of personnel to ensure proper payment under the claim.

Sec. 23. **REPEALER.** Minnesota Statutes 1971, Sections 15A.20, Subdivisions 4 and 5; 43.01, Subdivisions 3 and 4; 43.22, Subdivision 8; and Laws 1973, Chapter 765, Section 23, are repealed.

Sec. 24. This act is effective the day following final enactment.

Approved April 9, 1974.

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**CHAPTER 365—H.F.No.2773**  
[Coded]

*An act relating to mining; authorizing county assessors to engage in exploratory drilling in order to ascertain the existence of unmined iron ore; providing for condemnation proceedings in certain cases; amending Minnesota Statutes 1971, Chapter 298, by adding a section.*

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

Section 1. Minnesota Statutes 1971, Chapter 298, is amended by adding a section to read:

**[298.46] MINING; EXPLORATORY DRILLING FOR IRON ORE.**  
Subdivision 1. It is hereby declared to be in the public interest of this state as a whole, and in particular with respect to counties or other political subdivisions, to encourage the location of all deposits of iron ore hitherto unknown to such political subdivisions, that may be susceptible of economic exploitation.

Subd. 2. When in the opinion of the duly constituted authorities of a taxing district there are in existence reserves of unmined iron ore located in such district, these authorities may petition the iron range resources and rehabilitation commission for authority to petition the county assessor to verify the existence of such reserves and to ascertain the value thereof by drilling in a manner consistent with established engineering and geological exploration methods, in order that such taxing district may be able to forecast in a proper manner its future economic and fiscal potentials.

Subd. 3. If the fee owner of the land on which the unmined iron ore is believed to be located, or the owner of a mineral interest therein,

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