

manufactured in the United States in sufficient or reasonably available quantities, (2) the price or bid of the materials unreasonably exceeds the price or bid of available and comparable materials manufactured outside of the United States, (3) the quality of the materials is substantially less than the quality of comparably priced available materials manufactured outside of the United States, or (4) the purchase of the materials manufactured in the United States is otherwise not in the public interest. Subdivision 2 also shall not apply if the materials are purchased with a view to commercial resale or with a view to use in the production of goods for commercial sale.

Sec. 2. **EFFECTIVE DATE.** This act is effective in respect to all contracts executed by the state after July 1, 1978.

Approved March 23, 1978.

CHAPTER 584-H.F.No.2242

[Not Coded]

An act relating to Yellow Medicine county; authorizing the expenditure of money by the county board to restore county ditch number nine.

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

Section 1. **YELLOW MEDICINE COUNTY; COUNTY DITCH NUMBER NINE.** Notwithstanding the provisions of section 106.471, subdivision 2, the county board of Yellow Medicine county may spend up to \$100,000, for the years 1978 and 1979 or until the ditch is completed, to cut trees, clean and otherwise repair county ditch number nine, Yellow Medicine county, by hired labor and equipment without advertising for bids or entering into a contract.

Sec. 2. This act is effective upon adoption of a resolution or ordinance by the governing body of the county of Yellow Medicine and compliance with Minnesota Statutes, Section 645.021.

Approved March 23, 1978.

CHAPTER 585-H.F.No.2248

An act relating to municipal police and fire civil service commissions; requiring that commissioners be appointed by city councils; removing certain restrictions on other employment; limiting the commission's power to prescribe employment requirements; amending Minnesota Statutes 1976, Sections 419.02; 419.05; and 420.06.

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

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

Section 1. Minnesota Statutes 1976, Section 419.02, is amended to read:

419.02 MEMBERSHIP; JOINT POLICE AND FIRE COMMISSION.

Subdivision 1. This commission shall consist of three members who are citizens of the state and residents of such city, and shall be appointed by the ~~mayor of the city and the appointment of each commissioner, to be confirmed by a majority of the governing body thereof~~ council of the city, and when first created one commissioner shall be appointed for the term of one year, who shall be president of the commission, one for the term of two years, and one for the term of three years, and all commissioners shall hold their office until their successors are appointed and qualified. No commissioner shall, at the time of his appointment or while serving, hold any ~~other elected office or employment under the city, the United States, the state of Minnesota, or any public corporation or political division thereof, other than the office of notary public or or employment under the city, or employment under a police department of any city, other than as~~ a member of a civil service commission for firemen or other municipal personnel. Each commissioner, before entering upon his duties, shall subscribe and file with the city clerk an oath for the faithful discharge of his duties. There shall be appointed each year thereafter by the ~~mayor~~ city council one member of the commission whose term of office shall be for three years, and each member of the commission shall be president of the commission during the last year of the term for which he is appointed.

Subd. 2. In any city establishing or having a firemen's civil service commission, the ~~governing body~~ city council may, in the ordinance establishing the police or firemen's civil service commission or in a later ordinance adopted in the same manner, provide that a single commission shall serve as both police and firemen's civil service commissions. The joint commission shall consist of three members appointed in the same manner, for the same terms, and with the same qualifications as a police civil service commission under sections 419.01 to 419.18. When existing police and firemen's civil service commissions are combined, all the members of the two commissions shall become the members of the combined commission and shall continue to serve as members of the new commission for the remainder of the terms for which they were originally appointed. No successor shall be appointed for the members whose terms are the first, third, and fifth of the six to end, but at the end of every other term, one member shall be appointed for a three-year term, thus reducing the commission membership to five by the end of the first year, four by the end of the second year, and three by the end of the third year.

Sec. 2. Minnesota Statutes 1976, Section 419.05, is amended to read:

419.05 DUTIES OF COMMISSION. The commission shall have absolute control and supervision over the employment, promotion, discharge, and suspension of all officers and employees of the police department of such city and these powers shall extend to and include all members of the police department. The commission may not, however, prescribe any residency requirements for the positions under its control, unless approved by the city council.

The commission shall, immediately after its appointment and organization, grade and classify all of the employees of the police department of the city and a service register shall be prepared for the purpose, in which shall be entered, in their classes, the names,

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

ages, compensation, period of past employment and such other facts and data with reference to each employee as the commission may deem useful.

The commission shall keep a second register to be known as the application register in which shall be entered the names and addresses, in the order of the date of application, of all applicants for examination and the offices or employments they seek. All applications shall be upon forms prescribed by the commission and contain such data and information as the commission deems necessary and useful.

Sec. 3. Minnesota Statutes 1976, Section 420.06, is amended to read:

420.06 POWERS AND DUTIES. The commission shall have absolute control and supervision over the employment, promotion, discharge, and suspension of all officers and employees of the fire department of such city and these powers shall extend to and include the chief and assistant chief of such, and all inspectors, fire-wardens, electricians, engineers, auto mechanics, clerks, and other persons exclusively engaged in the fire prevention and protection service in the city. The commission may not, however, prescribe any residency requirements for the positions under its control, unless approved by the city council.

The commission shall immediately after its appointment and organization grade and classify all of these employees of the fire department of the city and a service register shall be prepared for the purpose, in which shall be entered, in their classes, the names, ages, compensation, period of past employment, and such other facts and data with reference to each employee as the commission may deem useful.

The commission shall keep a second register to be known as the application register in which shall be entered the names and addresses in the order of the date of application of all applicants for examination and the offices or employments they seek. All applications shall be upon forms prescribed by the commission and contain such data and information as the commission shall deem necessary and useful.

Approved March 23, 1978.

CHAPTER 586-H.F.No.2291

[Coded]

An act relating to labor; defining "hours worked"; providing that for certain employees the term shall not include certain periods and shall not be used in computing wages; amending Minnesota Statutes 1976, Section 177.23, by adding a subdivision.

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

Section 1. Minnesota Statutes 1976, Section 177.23, is amended by adding a subdivision to read:

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