

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

Approved May 19, 1969.

CHAPTER 477—S. F. No. 1579

[Not Coded]

An act to establish an appointment and tenure system for employees of the sheriff's office of Itasca county.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Itasca county; sheriff; employees.** Subdivision 1. The county board of commissioners of Itasca county is authorized to employ and designate all employees of the sheriff's office of Itasca county.

Subd. 2. The sheriff shall by a requisition or application request the county board to designate and employ such persons as he may deem advisable to fill newly created employment classifications or situations, or vacancies in previously established classifications or positions. Upon approval of such requisition the board shall proceed to employ and designate a qualified person for such position or situation.

Subd. 3. Every person employed and designated as a public employee of the sheriff's office of Itasca county under and pursuant to the provisions of this section, after six months of continuous employment in a regular full time position, shall continue in service and hold his position without demotion, until suspended, demoted, or discharged in the manner hereinafter provided for one or more of the causes specified herein.

Subd. 4. Causes for suspension, demotion, or discharge shall be:

(a) Conviction of any criminal offense in any court of competent jurisdiction subsequent to the commencement of such employment;

Changes or additions indicated by italics, deletions by ~~strikeout~~.

(b) Neglect of duty or willful violation or disobedience of orders or rules;

(c) Inefficiency in performing duties;

(d) Immoral conduct or conduct injurious to the welfare, or conduct unbecoming a public employee; or

(e) Incapacity or partial incapacity affecting his normal ability to perform his official duties.

Subd. 5. Charges against any public employee appointed pursuant to the provisions of this section shall be made in writing and signed and sworn to by the person making the same, which written charges shall be filed with the county board of commissioners. Upon the filing of same, if the county board shall be of the opinion that such charges constitute a ground for suspension, demotion, or discharge, they shall order hearing to be had thereon and fix a time for such hearing and may designate a committee of less than their full number to conduct such hearing. Otherwise the charges shall be dismissed. At least ten days before the time appointed for the hearing, written notice specifying the charges filed and stating the name of the person making the charges, shall be served on the employee personally or by leaving a copy thereof at his usual place of abode with some person of suitable age and discretion then residing therein. If the county board of commissioners orders a hearing it may suspend such employee pending its decision to be made after such hearing.

Subd. 6. The county board of commissioners or its designated sub-committee shall have power to compel the attendance of witnesses at any such hearing and to examine them under oath, and to require the production of books, papers, and other evidence at any such hearing, and for that purpose may issue subpoenas and cause the same to be served and executed in any part of the state. The employee accused shall be entitled to be confronted with the witnesses against him and have an opportunity to cross-examine the same and to introduce at such hearing testimony in his own behalf, and to be represented by counsel at such hearing. If the hearing is conducted by a designated sub-committee of the full board of commissioners such designated sub-committee upon completion of the hearing shall forthwith transmit its recommendations to the full board. The board, within 25 days after such hearing shall render its decision in writing and file the same in the office of the county auditor. If after such hearing the board of commissioners finds that any such charge made against any such public employee is true, it may punish the offending party by reprimand, suspension without pay, demotion, or dismissal. If upon any such hearing the board of commissioners shall find the

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charges made against such public employee are not true, or dismiss such charges after the hearing, such public employee shall be reinstated in his position and any salary or wages withheld from him pending the determination or decision of the commissioners upon such charges shall be paid to such public employee by the county out of its funds.

Subd. 7. Any public employee who is so suspended, demoted, or dismissed may have such decision or determination of the board of commissioners reviewed by a writ of certiorari in the district court of the county. If such decision or determination of the commissioners shall be finally rejected or modified by the court, the public employee shall be reinstated in his position, and the county shall pay to the public employee so suspended out of the funds of the county the salary or wages withheld from him pending the determination of the charges or as may be directed by the court.

Subd. 8. Any existing law or provision of law relating to public employees in Itasca county, for the designation or appointment of public employees by the sheriff of said county which is inconsistent with the provisions of this enactment shall be inoperative where it is so inconsistent.

Subd. 9. The county board of commissioners may by appropriate resolution or regulation establish all necessary procedures and standards to carry into effect the provisions of this enactment.

Sec. 2. This act takes effect when approved by the county board of Itasca county, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 19, 1969.

CHAPTER 478—S. F. No. 1611

An act relating to aid to families with dependent children; amending Minnesota Statutes 1967, Section 256.74, Subdivision 2.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1967, Section 256.74, Subdivision 2, is amended to read:

Subd. 2. **Welfare; AFDC; application; declaration.**

Changes or additions indicated by italics, deletions by ~~strikeout~~.