

CHAPTER 367

TOWN OFFICERS

367.03 Officers elected at annual meeting; vacancies.
 367.11 Duties.
 367.21 Repealed.
 367.25 Oath of office; bond; filing; penalties.

367.41 Constables and peace officer licensing requirements; deputy constables, requirements.
 367.42 Duties of deputy constables.

367.03 OFFICERS ELECTED AT ANNUAL MEETING; VACANCIES.

[For text of subds 1 to 3, see M.S.1982]

Subd. 4. [Repealed, 1983 c 359 s 151]

367.11 DUTIES.

It shall be the duty of the town clerk:

(1) to act as clerk of the town board, and to keep in his office a true record of all of its proceedings;

(2) unless otherwise provided by law, to have the custody of the records, books, and papers of the town, and to file and safely keep all papers required by law to be filed in his office;

(3) to record minutes of the proceedings of every town meeting in the book of town records, and to enter in them at length every order or direction and all rules and regulations made by the town meeting;

(4) to file and preserve all accounts audited by the town board or allowed at a town meeting, and to enter a statement of them in the book of records;

(5) to transmit to the clerk of the district court, immediately after the election of any town constable, a written notice stating the name of the person elected; the term for which he was elected; if elected to fill a vacancy, the name of the last incumbent of the office; and after a constable is qualified, and, upon the resignation of a constable, to immediately notify the clerk;

(6) to record every request for any special vote or special town meeting, and properly post the requisite notices of them;

(7) to post, as required by law, fair copies of all bylaws made by the town, and enter, over his signature, in the town records, the time when and the places where they were posted;

(8) to furnish to the annual meeting of the town board of audit every statement from the county treasurer of money paid to the town treasurer, and all other information about fiscal affairs of the town in his possession, and all accounts, claims, and demands against the town filed with him; and

(9) to perform any other duties required by law.

History: 1983 c 359 s 51

367.21 [Repealed, 1983 c 359 s 151]

367.25 OATH OF OFFICE; BOND; FILING; PENALTIES.

Subdivision 1. **Requirement, fee.** Every person elected or appointed to a town office, within ten days after receiving a certificate or notice of election or

367.25 TOWN OFFICERS

4

appointment, shall take and subscribe the oath required by law. If taken before the town clerk, the oath shall be administered and certified without fee.

[For text of subds 2 and 3, see M.S.1982]

History: 1983 c 359 s 52

367.41 CONSTABLES AND PEACE OFFICER LICENSING REQUIREMENTS; DEPUTY CONSTABLES, REQUIREMENTS.

Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any constable employed on or after March 23, 1982, by any political subdivision of the state of Minnesota shall not be eligible for permanent appointment without being licensed by the Minnesota board of peace officer standards and training pursuant to section 626.8463, clauses (a) to (c).

[For text of subd 4, see M.S.1982]

Subd. 5. Any individual seeking employment as a peace officer pursuant to section 367.03 on or after March 23, 1982, shall not be eligible for permanent appointment without being licensed by the board pursuant to rules promulgated under section 626.843.

History: 1983 c 216 art 1 s 60,61

367.42 DUTIES OF DEPUTY CONSTABLES.

Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any deputy constable employed on or after March 23, 1982, by a political subdivision of the state of Minnesota shall have the following powers and duties:

- (a) to have the powers of arrest of a private person;
- (b) to perform the duties of a constable prescribed by law relative to election procedure;
- (c) to perform the following duties at the direction of the county sheriff or constable:
 - (i) to inspect communication wire and cable or records of such wire and cable pursuant to section 325E.21;
 - (ii) to conduct hotel lien sales pursuant to section 327.06; and
 - (iii) to conduct public auction sales of unclaimed property pursuant to sections 345.04 and 345.05.
- (d) to arrest any individual who, in the deputy constable's presence, commits a violation of the Intoxicating Liquor Act, chapter 340;
- (e) to provide general administrative or clerical assistance to county sheriffs, local police departments or constables; and
- (f) to provide traffic or crowd control assistance to county sheriffs, local police departments or constables.

[For text of subd 2, see M.S.1982]

History: 1983 c 216 art 1 s 62