

mission of amendments to the Constitution. The ballots used at the election shall have printed thereon:

“Shall the Constitution of the State of Minnesota be amended to permit a legislator, if he is elected or appointed to another office, to assume the new office if he resigns from the legislature or if his legislative term is completed?

Yes .....

No. ....”

Approved May 25, 1967.

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CHAPTER 870—H. F. No. 142

[Coded]

*An act relating to the establishment of the Minnesota peace officer training board in the office of the attorney general; providing for minimum standards of recruitment and training for peace officer personnel of the state of Minnesota; providing for the acceptance of gifts, etc.; appropriating money; repealing Minnesota Statutes 1965, Sections 626.461 to 626.469.*

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

Section 1. **[626.841] Minnesota peace officer training board; establishment of board; members.** There is hereby created in the office of the attorney general the Minnesota peace officer training board, hereinafter referred to as the “board.” The board shall be composed of the following:

- (a) Two members to be appointed by the governor from among the county sheriffs in Minnesota;
- (b) Two members to be appointed by the governor from among the chiefs of police of Minnesota municipalities;
- (c) Two members to be appointed by the governor from among peace officers in Minnesota municipalities other than chiefs of police or county sheriffs;
- (d) The chiefs of police of each city of the first class;
- (e) The superintendent of the Minnesota bureau of criminal apprehension or his designee;

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- (f) The chief of the Minnesota highway patrol or his designee;
- (g) The special-agent-in-charge of a field office of the Federal Bureau of Investigation in this state;
- (h) The attorney general or his designee, and
- (i) Two members to be appointed by the governor from among the general public.

Sec. 2. [626.842] **Terms, meetings, compensation.** Members of the board appointed pursuant to clauses (a), (b), (c), and (i) shall serve for a term of four years. When initial appointments are made a member from clauses (a), (b), (c), and (i) shall be appointed for a two year term.

If any incumbent sheriff, chief of police or peace officer so appointed ceases to be a sheriff, chief of police or peace officer prior to the expiration of his term as a member of the board, the governor shall be notified by the executive director of the board that a vacancy exists or is about to exist, and the governor shall forthwith appoint some other incumbent sheriff, chief of police or peace officer to complete his term. Similar notification shall be made by the executive director of a vacancy existing or about to exist as to a member appointed pursuant to clause (i) and the governor shall make a similar appointment.

The board shall meet at least four times each year. Special meetings shall be called at the request of the executive director, the attorney general, or upon the written request of a majority of the members of the board. All recommendations by the board to the attorney general shall require the affirmative vote of a majority of the members of the board.

Membership on the board shall not constitute the holding of a public office, and members of the board shall not be required to take and file oaths of office or submit a public official's bond before serving on the board.

The members of the board shall receive no compensation for their services but shall be allowed their actual and necessary expenses incurred in the performance of their duties.

No member of the board shall be disqualified from holding any public office or employment, by reason of his appointment to the board, nor shall he forfeit any such office or employment notwithstanding any general, special, or local restriction, or ordinance, or city charter to the contrary.

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**Sec. 3. [626.843] Rules and regulations, recommendations; executive director.** Subdivision 1. The Minnesota peace officer training board may recommend to the attorney general rules and regulations with respect to clauses (a), (b), (c), (e), (f), and (i), and may recommend standards, but not rules and regulations, as to clause (d) with respect to:

(a) The approval or disapproval thereof, of peace officer training schools or courses including training schools for the Minnesota highway patrol. Such schools shall include schools administered by the state, county, school district, municipality, or joint or contractual combinations thereof, and such courses shall include police training courses taught at vocational schools and trade schools.

(b) Minimum courses of study, attendance requirements, and equipment and facilities to be required at each approved peace officers training school located within the state.

(c) Minimum qualifications for instructors at approved peace officer training schools located within this state.

(d) Minimum standards of physical, mental, educational, and moral fitness which shall govern the recruitment of nonelective peace officers within the state, by any state, county, municipality, or joint or contractual combination thereof, including members of the Minnesota highway patrol.

(e) Minimum basic training which peace officers appointed to temporary or probationary terms shall complete before being eligible for permanent appointment, and the time within which such basic training must be completed following any such appointment to a temporary or probationary term;

(f) Minimum basic training which peace officers not appointed for temporary or probationary terms but appointed on other than a permanent basis shall complete in order to be eligible for continued employment or permanent employment, and the time within which such basic training must be completed following such appointment on a nonpermanent basis;

(g) Categories or classifications of advanced in-service training programs and minimum courses of study and attendance requirements with respect to such categories and classifications;

(h) Grading, reporting, attendance and other records, and certificates of attendance or accomplishment; and

(i). Such other matters as may be necessary.

Subd. 2. An executive director shall be appointed by and

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serve at the pleasure of the governor. He shall be in the unclassified service and receive compensation, as fixed by the director of civil service, and reimbursement for the expenses within the accounts available by appropriation. The board may appoint such employees, agents and consultants as they may deem necessary, prescribe their duties, and provide for reimbursement of their expenses. Such employees shall be in the classified service and subject to Minnesota Statutes 43.09 to 43.17.

Subd. 3. The board may, in addition:

(a) Recommend studies, surveys, and reports to be made by the executive director regarding the carrying out of the objectives and purposes of this act;

(b) Visit and inspect any peace officer training school approved by the executive director or for which application for such approval has been made;

(c) Make recommendations, from time to time, to the executive director, attorney general, governor, and the legislature regarding the carrying out of the objectives and purposes of this act.

(d) Perform such other acts as may be necessary or appropriate to carry out the powers and duties of the board as set forth in sections 1 through 9, inclusive.

Subd. 4. The board shall report to the attorney general, from time to time, and to the governor and the legislature at least biennially concerning the activities of the board.

Sec. 4. **[626.844] Attorney general.** The attorney general may adopt and promulgate rules and regulations including but not limited to regulations and rules recommended by the board to the attorney general pursuant to section 3, section 6, subdivision 2, and section 7. When the attorney general promulgates any rules or regulations recommended by the board, he shall transmit a certified copy thereof to the secretary of state.

Sec. 5. **[626.845] Executive director.** The executive director, on behalf of the board, shall have the following powers and duties, to be exercised with the approval of the board and to be executed only in full accordance with the rules and regulations promulgated by the attorney general pursuant to section 4;

(a) To approve peace officers' training schools administered by state, county and municipalities located within this state;

(b) To issue certificates of approval to such approved

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schools, and to revoke such certification of approval when necessary to maintain the objectives and purposes of this act;

(c) To certify, as qualified, instructors at approved peace officer training schools, and to issue appropriate certificates to such instructors;

(d) To certify peace officers who have satisfactorily completed basic training programs, and to issue appropriate certificates to such peace officers;

(e) To cause studies and surveys to be made relating to the establishment, operation, and approval of state, county, and municipal peace officer training schools;

(f) To consult and cooperate with state, county, and municipal peace officer training schools for the development of advanced in-service training programs for peace officers;

(g) To consult and cooperate with universities and colleges for the development of specialized courses of instruction and study in the state for peace officers in police science and police administration;

(h) To consult and cooperate with other departments and agencies of the state and federal government concerned with peace officer training;

(i) To perform such other acts as may be necessary and appropriate to carry out his powers and duties as set forth in the provisions of this act;

(j) To report to the board, from time to time, at the regular meetings of the board and at such other times as may be required by the board.

Sec. 6. **[626.846] Attendance, forfeiture of position.** Subdivision 1. Notwithstanding any general or local law or charter to the contrary, any peace officer employed or elected on or after July 1, 1967, by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota with a population of more than 1,000 according to the last federal census shall attend a peace officers training course within 12 months of his appointment, except as provided in section 13.

Subd. 2. Every peace officer who shall be appointed by any state, county, municipality or joint or contractual combination thereof of the state of Minnesota with a population of more than 1,000 according to the last federal census, on a temporary basis or for a probationary term, shall forfeit his position unless he has satisfactori-

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ly completed, within the time prescribed by the rules and regulations promulgated pursuant to this act, an approved peace officer training program, except as provided in section 13. Any other peace officer employed or elected by any state, county, municipality or joint or contractual combination thereof, may attend peace officer training courses subject to the rules and regulations promulgated pursuant to this act.

Sec. 7. **[626.847] Compulsory program; exemptions.** Nothing contained in this act, except the population limits in section 6 and section 13, shall be construed to exempt any peace officer charged with the enforcement of the general criminal laws of the state from the provisions of this act, or to exempt a peace officer having received his last permanent appointment as a peace officer prior to the effective date of this act. The peace officers training board may recommend by a two-thirds vote rules and regulations for minimum basic training for all peace officers who received an appointment prior to the effective date of this act. Upon the adoption of such rules and regulations by the attorney general all such peace officers shall comply with such rules and regulations.

Sec. 8. **[626.848] Training courses, locations.** The superintendent of the bureau of criminal apprehension shall provide courses at convenient locations in the state, for training peace officers in their powers and duties, and in the use of approved equipment and the latest technique for detection, identification and apprehension of criminals. For this purpose, the superintendent may use the services and employees of the bureau.

Sec. 9. **[626.849] Schedule of subject material.** The superintendent of the bureau of criminal apprehension shall prepare not later than August 1 each year a written schedule of subject material to be taught in each training course, the scheduled instructors for each subject and the time and place for each subject presentation. This material shall be presented to the board. The subject material, instructors and schedules may be approved or disapproved by a majority vote of the board before September 1 each year and if disapproved, the proposal shall be revised and re-presented to the board for their review in like manner.

Sec. 10. **[626.85] Instructors; donations, contributions.** Subdivision 1. In addition to the bureau employees assigned to police training, full time or part time, the superintendent is authorized to engage such part time instructors as he deems proper and necessary to furnish the best possible instruction in police sciences, subject to the limitation of funds as appropriated and available for expen-

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diture. Minnesota Statutes, Sections 43.09 to 43.17, shall not apply to such part time employees.

Subd. 2. Any donations, contributions, grants or gifts which may be received shall be accepted without recourse to the donor, and shall become the property of the state. All cash receipts shall be deposited with the state treasurer, and are hereby appropriated to the bureau in the quarter in which they were so deposited.

**Sec. 11. [626.851] Eligible officers.** Any police officer employed or elected by any county or municipality of the state of Minnesota shall be eligible to attend such training courses as herein provided in accordance with the rules and regulations of the board.

**Sec. 12. [626.852] Tuition; salary and expenses.** No *tuition shall be charged any officer for attending any training school* herein provided for, and each officer when assigned to attend the police school shall receive his regular salary and shall be reimbursed by the governing body of the governmental unit or combination of governmental units from which elected or by which employed for his cost of meals, travel, and lodgings while in attendance at the police school, not to exceed similar allowance for state employees, except as provided in section 13.

**Sec. 13. [626.853] Participation, population limit.** Notwithstanding other provisions of this act to the contrary, peace officers elected or appointed in any governmental unit or combination of governmental units with a total population of more than 500 but less than 1,000 according to the last federal census shall comply with the provisions of sections 6 and 7 when:

(a) The county board of the county in which such municipality or combination of municipalities is located provides by resolution for reimbursement to such municipality or combination of municipalities for the ordinary and necessary expenses, not including salary, of such officers' attendance at a peace officers training course as set forth in section 12, and

(b) The sheriff of such county consents to furnish temporary substitute local protection for such municipality or combination of municipalities, the expenses of which, except for salary, his office shall be similarly reimbursed by the county board.

**Sec. 14. [626.854] Cooperation with federal government.** The Minnesota peace officers training board shall have the further power and authority to cooperate with, receive financial assistance from and join in projects or enter into contracts with the federal government or its agencies for the furtherance of peace officer training within the state.

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Sec. 15. Minnesota Statutes 1965, Sections 626.461 to 626.469 are hereby repealed.

Sec. 16. There is hereby appropriated to the attorney general from funds in the state treasury the sum of \$25,000 for each year of the biennium for the purposes of this act.

Sec. 17. This act shall become effective July 1, 1967.

Approved May 25, 1967.

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CHAPTER 871—H.F. No. 278

[Coded]

*An act relating to a state program of student scholarships for higher education; prescribing the policies under which the program shall be operated.*

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

Section 1. [136A.09] **State scholarship program; student scholarships, purpose.** The legislature has found and hereby declares that the identification of the talented young men and women of the state and the encouragement of their maximum educational development is in the best interest of the state. The state scholarship program provided for herein is designed to encourage such able and worthy students to continue their education in the eligible institutions of their own choosing and to provide financial assistance for those who would not otherwise be able to do so.

Sec. 2. [136A.10] **Definitions.** Subdivision 1. For purposes of this act, the terms defined in this section have the meanings ascribed to them:

Subd. 2. "Commission" means the Minnesota liaison and facilities commission for higher education.

Subd. 3. "Director" means the executive director of the Minnesota liaison and facilities commission for higher education.

Subd. 4. "Eligible institution" means an institution of higher education located in this state which provides an organized course of instruction of at least two years duration in the sciences or liberal arts, including performing and visual arts, or a combination of these, at the collegiate level which either (1) is operated by this state, or (2) is operated publicly or privately, not for profit, and as deter-

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